

Hon. Mr. HUNTINGDON—I may say that the Government have no such intention.

SUPPLY OF RAILS.

Hon. Mr. MITCHELL—Have the Government entered into any engagement with any person or persons, company or companies, in the Province of New Brunswick, to supply them with rails to promote the construction of railways; and if so, what railways, and who are the parties and companies, and what are the conditions of such arrangements?

Hon. Mr. MACKENZIE did not think that any such answer as was desired should be given. However, he might state that the Government had allowed the temporary use of rails by several branches, such as the Chatham branch, connecting with important points on the Intercolonial; three or four of these roads had applied for this privilege, and he proposed at an early date to bring the matter formally before Parliament.

GRAND NARROWS, NOVA SCOTIA.

Mr. TREMAINE—Is it the intention of the Government to build a pier or brakewater on the north side of the Grand Narrows, Victoria County, Nova Scotia?

Hon. Mr. MACKENZIE—This subject has not been under the consideration of the Government.

BRAS D'OR LAKE.

Mr. TREMAINE—Is it the intention of the Government to place buoys on the Bras D'Or Lake to mark the several shoals between Grand Narrows and Baddeck, and between Baddeck and Little Narrows, Saint Patrick's Channel?

Hon. Mr. SMITH—I am not in the possession of sufficient information to enable me to give an answer; but I will make enquiries, and if the work is necessary it will be done.

SHIPPING CERTIFICATES.

Mr. FORBES moved for an Address to His Excellency the Governor-General for all correspondence between the Dominion Government and the

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Imperial Government; also between the Local Governments of the Maritime Provinces and the Dominion Government, relating to certificates of service granted by the Dominion to captains in the Merchant Service before 1871.

In explaining the motion, he said it was well known that the merchant marine had rendered good service to the State, and the motion before the House was certainly one that called for the consideration of Government. Canadian captains in English ports were met with the fact that they were unable to clear their ships with the Canadian certificate of service. In 1872 a law was passed in Canada providing that captains in the marine service of the Dominion, upon producing certificates of merit, should receive certificates of service which should carry their ships anywhere in the world. These captains had always done their duty, and were universally regarded as competent men. The English law, on which our Statute is based, allowed English captains to take their vessels wherever they went, whereas Canadian ships were prevented from sailing from England to other ports on Canadian certificates of service. Under these circumstances Canadian seamen were labouring under a disadvantage. He could not see in what way Canadians were inferior to the masters of British ships who sailed in British vessels registered in England. Canadian vessels sailed from Dominion ports registered in the Dominion. The question arose, had the Imperial Government any control over Canadian shipping, and it was a question which was disturbing the mind of the Canadian shipping masters generally. The disability under which Canadian captains suffered was a reflection upon their seamanship. He thought that it was a subject to which the Government should give their earnest consideration, and which called for active measures on their part.

Hon. Mr. SMITH said there certainly was no objection to bringing down the papers there were on the subject, and while he thought there was some force in the remarks of his hon. friend, he did not altogether coincide with his views.

In 1854 a Bill was passed in the English Parliament authorizing the private examination of masters and mates; and providing that any person having been a master on January 1, 1854, should be entitled, as a matter of right, to a certificate of service. An Act was passed in Canada in 1870 providing that masters of ships were entitled to certificates of service, as a matter of course, without any examination, on a certificate of good conduct being produced. He did not think there existed any difficulty in regard to the matter. There were very few of these certificates granted, and they were getting fewer and fewer every year. Many of the persons who held these certificates were undergoing examination for certificates of competency. He would bring down the papers at as early a day as possible.

Hon. Mr. MITCHELL said this was a matter of some considerable importance when legislation was going on in England affecting the merchant shipping of our country. One of the great objects we should have in view in Canada was to endeavour to get as much relief as possible from interference on the part of the Imperial Parliament. In dealing with the matter we should be able to say, "we ask nothing unreasonable, and we ask nothing that you would not be prepared to deal out to your own people." His hon. friend from Queen's made a statement which was not quite accurate. He had said an English captain could go to any port in the world. This was not so. There were two classes of certificates issued by the Board of Trade, the first of which would enable a master to take his vessel into any port in any part of the world, while the other class applied to home vessels. Some time ago the Dominion Government applied to the British Board of Trade for permission to legislate upon this subject, and introduced a Bill into the Dominion Parliament similar to the one passed in England in 1854.

The English officials who had superintendence of the shipping interests of Great Britain did not like to give the same classification to certificates granted by Canadian authorities as to those granted by English examiners. It

took about three years to convince them that we were just as capable of conducting an examination, just as sensitive about the standing and character of our shipmasters, and just as careful in regulating our shipping interests as they were in England. While they were slow to give way, the English authorities were always prepared to concede what was fair when just reasons were put forward. He thought it would be very impolitic to ask them now to give a higher standard to our shipmasters than to others. In order to have our certificates of competency recognized in England, it was found that our examinations would need to be pretty strict, and this would be likely to exclude a considerable number of officers who had charge of ships for many years, and were good practical men though they did not possess the scientific knowledge necessary. It was found advisable to relieve them just as was done in England, not because it was thought desirable, but because it was considered unwise to throw a large number of men out of occupation. It must be remembered that the English Act was passed in 1854, and consequently but a small percentage of English shipmasters of that time were alive to avail themselves of certificates of service.

Mr. MILLS—That does not affect the principle.

Hon. Mr. MITCHELL said he was aware of that, but he conceived we were weakening our position when we asked another Government to give our certificates a higher standing than they gave their own.

Mr. FORBES—I do not ask for that.

Hon. Mr. MITCHELL said the hon. gentleman asked for the papers for the purpose of getting these certificates recognized in England, where very few such certificates were now in force. We had made very respectable progress in obtaining independence in legislating on this subject. We had only now to ask exemption from British legislation when we had legislated for ourselves. The number of British ship masters who held certificates of service under the Act of 1854 was very small indeed, and when the hon. member for Queen's asked to have such certificates granted

under the Canadian Act of 1870, he requested too much. Our Act had worked admirably, and there had been hardly any complaints against it. Instead of adopting this course, the hon. member for Queen's should advise masters who had certificates of service to educate themselves in the scientific part of their profession, and fit themselves for obtaining certificates of competency. That was what was contemplated when the Act was passed in 1870. He did not rise to oppose this motion, but for the purpose of setting the matter right, and calling the attention of the House to the very important question now raised. While he highly approved of the hon. gentleman's object to raise the standard of the people of his own country, he should not give any just ground to the Government or Parliament of England, to refuse what we might more legitimately ask, and that was that the British legislation now under the consideration of the Imperial Parliament shall not affect our shipping.

Mr. PALMER said the hon member or Queen's was not the only one who had heard complaints on this subject, because he (Mr. Palmer) had heard them in his own constituency. Now, either we had the power to pass the Act of 1870, or we had not. It was utter absurdity to allow a ship to clear from a Canadian port when she would not be allowed to clear from an English port under the same master. It would be better to give no certificate at all than have this state of things continue. He held this Parliament had a perfect right to legislate on the subject, and he denied the right of the Imperial Government constitutionally to make a different rule for Canadian from what they did for foreign ships. The moment they granted this Parliament the right to legislate for their own shipping and govern their own affairs, they had no right to interfere with them in such a manner. Just as well might they undertake to regulate a factory in New Brunswick as the shipping of this country, except for quarantine or other matters which would be applicable to foreign ships.

It was totally inconsistent for them to regulate the duties of masters to sailors, and of sailors to masters. The

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system was most vicious in its nature, and surely it required as much skill to sail a vessel from Liverpool to Halifax, as from Halifax to Liverpool.

Mr. MILLS did not fully understand the position of the hon. member from Northumberland, who demanded that the classification of ships should be under the control of the Parliament of Canada, and yet he assured them that he asked the Imperial Government to concede as a favour, what certainly belongs to Canada as a right. This was a very extraordinary position; and to his mind had somewhat complicated this question of jurisdiction. It was perfectly clear that the Dominion possessed power to legislate exclusively on this subject. Our Constitution was a compact between the various Provinces, a part of whose former powers of legislation we held.

Hon. Mr. SMITH asked his hon. friend, if he thought that this Parliament had power to compel the authorities in England, while our ships were in British waters, to recognize the authority of its acts.

Mr. MILLS admitted that the Imperial Parliament could take away the legislative authority conferred under the British North American Act, though this would be an act of bad faith and of violence; also that it could legislate for Canadian ships in the waters of Great Britain as well as for American or French shipping; all we asked was to be let alone. We had the authority he had mentioned and must exercise it exclusively.

Hon. Mr. MITCHELL explained that what he had asked as a favour was not a right to have Canadian certificates recognized in British ports, and consequently he had not complicated the question.

Mr. MILLS held that the Imperial Parliament had nothing to do with Canadian, any more than with American certificates; and this, in his opinion, involved the whole question.

Hon. Mr. MITCHELL—What about Canadian certificates for the masters of British ships?

Mr. MILLS—That is an entirely different matter. The British North

American Act had conferred on the Dominion the powers belonging to the old Provinces. The Merchants' Shipping Act of England, passed in 1854, also applied to Canada as a Canadian law, but distinctly and separately from its being an English Act, and when it was amended in England the amendments did not extend to this country.

Hon. Mr. SMITH—That is not involved in this question.

Mr. MILLS—I think so.

Hon. Mr. SMITH—The effect of the legislation is simply this:—The Canadian master with a Canadian certificate in his pocket, can go to England and take charge of a British ship in a British port, to sail to any part of the world; consequently the certificate of a Canadian master has the same force and validity in England as the British certificate.

Hon. Mr. MITCHELL—That is the point.

Mr. MILLS—The point was not what the master's rights on a British ship were, under the provisions of a law entirely distinct from the Merchants' Shipping Act—under an Imperial Act conferring power in reference to English shipping. He supposed that this would be admitted by his hon. friend the Minister of Marine and Fisheries.

Hon. Mr. SMITH—No.

Mr. MILLS—In interfering with our masters they are acting in direct contravention of the powers conferred on us.

Mr. FORBES considered that the difficulty originated with the course taken by the late Minister of Marine and Fisheries. He ventured to affirm that from this time forward until next year many complaints would be made in this connection. They were told that the masters of Canadian ships could again go to school; but some of them had commanded vessels for twenty-five years. A hardship was felt in this relation by ship-owners as well, and he held that the matter merited consideration from the Government. It was evident that the hon. member for Northumberland did not consider that Canadian were equal in ability to British ship masters, or he

would never have insulted the former, as he (Mr. Forbes) thought the hon. member had done. He hoped that as the Hon. Minister of Marine and Fisheries was himself deeply interested in the shipping interest, this question would receive the attention it deserved.

Mr. KILLAM thanked the Board of Trade for the action it had taken in this connection in the public interest, preventing owners of vessels from engaging incompetent masters. If these captains had sailed since 1870 until now, and were unable to obtain certificates on examination in this country or England, it was time they should go to school.

The motion was carried.

#### THE GATINEAU BOOM CONTRACT.

Hon. Mr. TUPPER moved for a message to Senate praying for copy of report made by Select Committee of that Hon. House during last Session on the subject of the construction of booms, piers and other works on the Gatineau.

Delay had taken place in connection with a communication between the Post Office and Public Works' Department, and the question arose as to the time when the tender which was in question had been actually sent to the Government; in consequence the Minister of Public Works felt it his duty to decide that the tender of another party, not the lowest, should be accepted.

A good deal of attention had been given to this subject, and a Committee appointed in the other branch of the Legislature having examined into it, held that under the circumstances the Government would be warranted in making payment to Mr. Palen, whose tender had been the lowest, for the work he had performed. This was perhaps done somewhat irregularly. Mr. Palen had been requested by the person whose duty this was, his tender being the lowest, to go to work in order that time might be saved, as this officer was under the impression that it was very important to do so. He asked the Hon. Minister of Public Works whether under these circumstances Mr. Palen should not be remunerated for the expenditure he had made on the work mentioned.