

such a usage. He had referred to authorities, and those authorities had shown that there was no such usage. What was he to think of the hon. gentleman when he asked them to lay down—not as a new rule, not to consider what might be a wise and just rule for the future—but when he asked, for the purpose of casting a slur on some gentlemen in the House, that it should be affirmed that this had been always the rule and usage upon this subject. If the House adopted that proposition it would be adopting what was utterly false, for it was perfectly certain that there was no shadow of foundation for saying that such had been the rule of Parliament. The hon. gentleman had referred to many who laid down what was the usage on the subject, and that was that no member of the House should be interested pecuniarily in any business transacted in the House, whether his partner transacted it or himself. The purpose of the English rule was to prevent a member being interested as a solicitor in business before the House or any of its Committees; and that rule—and it was ours also—was framed so that a member could not evade it by having his partner transact any business before the House from which he himself was to receive pecuniary advantage. No hon. member having any respect for his own reputation would say that the usage was as laid down by the hon. member for South Leeds. The hon. member disclaimed having any reference to any member, disclaimed the knowledge of any case in which any member of the House had been influenced by his partner being engaged as solicitor for any one having business before the House. It was not, therefore, necessary that he (Attorney-General) should say some things which, but for that disclaimer, he should have thought it his duty to say. The hon. gentleman had referred to a case before the British House of Commons in which this principle was discussed, but there the mover did not pretend that it was contrary to usage of Parliament; he asked that a new rule should be enacted.

Mr. MACDONALD said his resolution was framed from the motion then made—or on the rule adopted in 1830—either on one or the other.

Attorney-General MOWAT said the rule laid down in May said what the usage of Parliament was; but the hon. member wished to go further, and state as being the rule something which was not. The House quite understood why this resolution had been moved. There had been a great deal of talk in the organs of hon. gentlemen opposite on this matter, and the motion of the hon. gentlemen was proposed to be a slur upon Mr. Blake and the hon. gentleman who sat beside him (Mr. Crooks.) He happened to know the facts connected with Mr. Blake. Every one who knew, or cared to speak honestly, knew that that gentleman was utterly incapable of making use of his public trust for any private advantage. He had demonstrated that in a way which few of them had an opportunity of doing. It was not long after entering that he discovered that so much of his time would be taken up there that he could not render so much service to his firm as he had previously done, and he thereupon resigned \$2,400 a year. So far from coming into Parliament for the purpose of making a profit out of his trust, he almost immediately entered into a new arrangement by which he voluntarily resigned that large sum. That was in 1867; but the great abilities of his hon. friend, and the confidence which the country placed in him, led to his occupying a much more prominent position than he had wished to occupy, and rendered it necessary for him to give a still greater portion of his time to public duties than he in the first instance counted upon doing, and in order to enable him to do that he made a farther sacrifice in the year 1870, by which he ceased to be interested in the professional business of the firm with which he had been connected; and from December, 1870, though his name was in the firm, he had no partnership interest in it—its profits or its losses. In thus leaving the firm he made a further sacrifice of \$5,200 a year in the public interest in order to make him free to attend to his public duties, and in utter disregard of his private interest. He (Attorney-General) would like to know how many hon. gentlemen opposite would have been ready to make either of these sacrifices? \$7,600 a year of income was a sum far beyond what probably any member of the House had ever made professionally, but the legal character of Mr. Blake was of such a high order, and his services were so much sought after, that his business was fast increasing, and the sacrifice was even greater than those figures would indicate. To hint that Mr. Blake made use of his position in the House for the purpose

of pecuniary profit was a monstrous thing on the part of the organs of hon. gentlemen which first brought this matter before the public, and the hon. member was as responsible, as in bringing forward this motion he was endeavouring to perpetuate the slur which was attempted to be cast. With regard to Mr. Blake's connection with the passage of any Private Bills, he said that his firm had acted in the case of but two Bills at most, and that was after he had ceased to be a member of the firm. One of them was a Bill of which the hon. member for East Toronto was the promoter.

Mr. CAMERON said that the hon. member for West Toronto was its promoter, but that he (Mr. Cameron) had done all he could to get it passed.

Mr. CROOKS said the hon. gentleman's name was on the back of the Bill. He (Mr. Crooks) was chairman of the Committee.

Attorney-General MOWAT said there were only one or two Bills at most, and Mr. Blake had no pecuniary interest in them whatever. He had that gentleman's authority for stating that he did not even know that one of his partners had been concerned in these Bills, until when in Ottawa he saw in some of the organs of the gentlemen opposite some statement on the subject. He then wrote to Toronto and found the circumstances to be as now stated. If the hon. member for South Leeds wished that there should be a new rule of the House on this subject, it would be right to discuss that question; but he the (Attorney-General) would certainly like to know why a professional partner of a member should stand in a different position from any other partner. He was somewhat astonished at the low view of his profession that the hon. gentleman seemed to have. There came constantly before the House Bills respecting railways and banks, and other corporations, and yet it had never been thought necessary to exclude from the House any gentleman who had any interest in any of those Bills. Why should this slur be cast upon the legal members of the House more than upon any other? The objection was entirely fanciful, and not to be seriously entertained. In the Court of Chancery, with which he was somewhat familiar, a like principle had been considered. There, everybody knew the strong hand which that Court held over trustees—and very often solicitors were trustees. Where there was any litigation in connection with the trust, and a solicitor was concerned professionally in that litigation, the rule was that he was not permitted to derive any advantage from it, and if he incurred any costs he must lose them; there being the same or even a much greater reason to prevent profit being made from trusts of that kind as to prevent profit being made by members of Parliament. But the rule was equally clear that if the trustee's partner does the business, and directly or indirectly the solicitor himself does not derive advantage from the business, the costs are allowed. The Court held that there was no reason why a partner should not conduct business of that kind as long as the trustee himself does not derive a benefit from these costs. That was the rule of the English Parliament, and he did not see why we should go beyond that rule in this House. It was impossible for some gentlemen to attend to their legislative duties without great sacrifices, and he did not see why those sacrifices should be increased by debarring them from having partners who, as lawyers, did business in the House. It might be right to consider the question of a new rule, but now the House was asked to affirm a proposition which, beyond all question, was incorrect and contrary to the fact. The House would have no difficulty in negating the motion of the hon. member. (Hear, hear.)

Mr. CAMERON expressed the confidence he felt in the legal profession generally, although that profession more than any other was not exempt from the presence of black sheep. He was somewhat surprised after statements that had emanated from the Attorney-General's session, that so much warmth should be displayed by him in referring to the resolution before the House. He admitted, if the facts respecting the Hon. Mr. Blake, as represented by the Attorney-General, were true, that a great injustice had been done to that hon. gentleman. In alluding to the question before the House he said that perhaps, as the Attorney-General had pointed out, the resolution was not strictly correct. The mischief to be avoided was probably just as great, whether the legal gentleman made an arrangement with his partners not to participate in the remuneration, as if he were in point of fact to receive a portion of the remuneration. The hon. gentleman proceeded to assert that the hon. Treasurer had acted last session as Chairman of the Private Bills Committee.