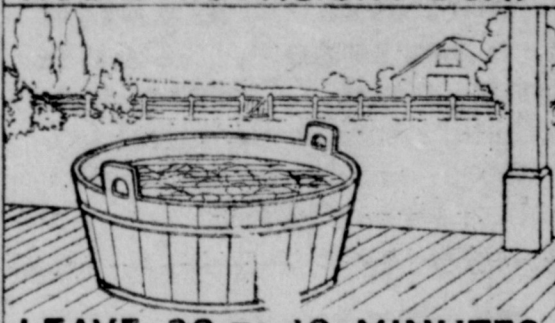


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Queen Street, Woodstock, N. B.

### ATTORNEY-GENERAL PUGSELEY'S SPEECH.

(Continued from third page.)

attorney-general, he went to England to argue the school case for this province, and was paid several thousand dollars for his services besides having an eminent member of the English bar to assist him.

When the Hon Mr Blair was attorney-general, he argued the Maritime Bank case before the privy council on behalf of the province, and was paid a fee of \$3,000, besides as much more in the shape of fees as solicitor. I may say here that I did not fix the amount of my own bill in this case, it was done by the premier and there has never been a bill of mine that has not been closely scrutinized by him, for he has never been noted for being too liberal with the public money.

It is no part of the duty of the attorney-general to try civil causes. It is not even his duty to try crown causes. In Ontario, where the Hon Mr Mowat was premier and attorney-general for so many years, he never tried a crown case. In this province I do not think that the Hon Mr Fraser when attorney-general, ever tried a crown case. In Nova Scotia the attorney-general does not try crown cases, but the business is divided up among leading counsel throughout the province. The same system is followed in the province of Quebec.

#### CITES PRECEDENTS.

It is true that the Hon Mr Blair when attorney-general, did try crown cases but at that time he had a large civil business as well on the circuits. Now, what are the duties of the attorney-general? While the legislature is in session, it is his duty to supervise all legislation, to draw all government bills, to write all despatches which pass between the government of the province and the government of Canada, to give his advice in letters patent and with regard to all the matters that come up; to keep a general oversight over the administration of justice, to give advice to magistrates, to answer all correspondence from coroners and clerks of the peace.

As an evidence of my work, I am within the mark when I say that I have to write between 5,000 letters a year and there is scarcely a day that I do not write from twenty-five to thirty letters.

I think I can say that I have never shirked my work. I can appeal to my own conscience as to whether I have honestly discharged my duties. The actual work of trying cases in court is by no means the most important or the most difficult part of the duty of a counsel who has charge of criminal cases.

Now with regard to the independence of parliament act let me say that the statute expressly permits the government to employ me. That law was not of our making for it was in the old statutes.

I will now take up some of the cases in which I appeared for the

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## SCOTT'S EMULSION

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Is Necessary to Health, Strength and Happiness.

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Rich, red blood is the true secret of health and strength, and it is simply because Dr Williams' Pink Pills make new, pure blood, that they cure such troubles as anaemia, loss of appetite, indigestion, neuralgia, rheumatism, St Vitus dance, partial paralysis, kidney troubles, and the special ailments that only women-folks know. But you must get the genuine with the full name "Dr Williams' Pink Pills for Pale People" on the wrapper around each box. If in doubt, send to The Dr Williams Medicine Co, Brookville, Ont, and the pills will be mailed at 50 cents a box, or six boxes for \$2.50.

government. The case of Dunn vs the King was a claim which arose out of the disputed boundary between this province and Quebec. It was for between \$30,000 and \$40,000 and we were notified by the dominion government that if it were decided against us the amount of the verdict would be charged to our account. Was it not our duty to defend this case rather than lie down and submit to a verdict? We defended the case and won it and thereby saved the government a large sum of money.

The case of Appleby vs the King was a case against the province for land damages at the time the railway from St John to Shediac was being built. The papers in the case appear to have been lost or burnt. The claim was for \$50,000 to \$60,000. Would we not have committed a breach of the public duty if we had submitted to this demand? We put in our defence and the case has been abandoned.

With regard to the charge of \$200 in respect to Sunday legislation let me state the circumstances. A case was stated for the opinion of the Supreme Court and as the matter was one of importance we were invited by the minister of justice to be represented at the argument. It was our opinion that Sunday legislation belonged to the criminal law of the country. I retained two legal gentlemen to look up the authorities and paid them each \$50. The other \$100 was to cover my expenses to Ottawa to argue the case, a business which took three days of my time.

SOME DETAILS.  
A large portion of this sum of \$5,550 is connected with my attendance at Ottawa and Quebec. Much of it is connected with our claim to the Halifax fishery award. A sum of nearly \$5,000,000 was paid to Canada for property which belonged to New Brunswick, just as much as if citizens of the United States had been allowed to cut timber on our crown lands. If you take our share of this reward and add to it simple interest it will amount to \$1,500,000 at least and if compounded it would be nearly \$3,000,000; were we not justified in taking some steps to enforce that claim? We had been instructed by the legislature to do so, yet the critic of the opposition censures me and the government for our action.

Let me call his attention to the brief which I prepared in this case. Let him read brief and I will ask him if we do not make out an unanswerable case. Was it not right that we should seek to recover this money? We have not yet succeeded in getting this case before the Supreme Court of Canada. We were led to believe that a case would be submitted to the Supreme Court. We prepared our case and submitted it to the minister of justice. He agreed to it but for some reason or other the case was not submitted to the court.

The province of Nova Scotia was opposed to it because the dominion parliament by an act passed in 1880

diverted a part of that money to bounties for the deep sea fisheries, although the property taken from us belonged to the shore fisheries. Of these bounties the people of Nova Scotia received upward of \$100,000 a year while the people of this province got but a paltry \$13,000. This was done by the legislation of a party which was supported by the member from St John and which he says thought they held the destinies of the country in the hollow of their hand.

Mr Hasen—You supported the party also.

GLAD HE LEFT CONSERVATIVES.

Hon Mr Pugsley—I am glad to say that I left them in 1896 when they submitted legislation to which I could not agree and in defiance of their pledges were determined to make Portland (Me.) the winter port of Canada. When I ran as an independent candidate against them the honorable member for St John was one of my firmest supporters and was opposed to the leader of the opposition who also ran. But my honorable friend crawled back into the fold and he is now supporting a party which he said had sought to ruin the city of St John. I, however, did not turn back and I am glad to say that I belong to a party which has in ten years raised Canada from an humble position to the first rank in the list of young nations. Today the eyes of the whole world are on Canada and thousands are hastening to its shores to build up for themselves here happy and prosperous homes. As one whose prosperity depends on the growth of Canada I have been 10,000 times repaid for my support of the present government.

The case of the Attorney General against the St John Lumber Company is one with which we are all familiar. That company had built piers which blocked the navigation of the upper part of the St John river and their sheer boom diverted logs from the channel. I was asked to look into this matter and prevent the violation of the Ashburton treaty and the rights of free and open navigation. I submitted the matter to the premier and the government decided that it was one of great public importance. The matter went to a hearing, but the case has not been decided because of the illness of Mr Powell, one of the counsel.

Now let me ask the leader of the opposition, would you or would you not say that it was the duty of the government to take up this case and prevent the violation of the rights of our people.

The case of Emerson vs Madison was another case of great importance to many people in this province. It has been held to be the settled law of this province that a squatter in possession of land more than twenty years could not be deprived of his property for the mere issuing of a grant from the crown unless proceedings were first taken from the crown to oust him. The Supreme Court of this province decided the case on this principle. The Supreme Court of Canada, Sir Louis Davies dissenting, reversed this judgment and now the case has gone to the privy council of Canada. The report of the decision as it now stands would be to unsettle many titles and as the parties were poor we were asked to bear the costs of appeal and as it was a case of great public importance we undertook to do so.

Taking all these cases together do the honorable gentlemen think the \$5,500 was a large sum for me to be paid for my services? I am leaving out of this account my services in connection with the Eastern Extension claim which began in 1899 before I was a member of the government.

Before dismissing the question I will refer to a small matter which has been brought forward by the member for Northumberland, the payment of the sum of \$300 for my telegrams as charged is responsible for this error. I have been absent a great deal from my office during the past year at Ottawa, Quebec, Montreal and elsewhere and when telegrams came to St John for me when I was away they were repeated to me. The company had no means of knowing how they should be charged but when the bills were rendered it has been my practice to go through the items. Being very busy I did not exercise the same care this year but when the auditor general's report was published I saw the amount charged to me was so large that there must be some mistake. (Continued on eighth page.)

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#### Homestead Regulations.

ANY even numbered section of Dominion Lands in Manitoba, Saskatchewan and Alberta, excepting 8 and 28, not reserved, may be homesteaded by any person who is the sole head of a family, or any male over 18 years of age, to the extent of one-quarter section of 160 acres, more or less.

Entry may be made personally at the local land office for the district in which the land is situate, or if the homesteader desires, he may, on application to the Minister of the Interior, Ottawa, the Commissioner of Immigration, Winnipeg, or the local agent receive authority for some one to make entry for him.

The homesteader is required to perform the conditions connected therewith under one of the following plans:

(1) At least six months' residence upon and cultivation of the land in each year for three years.

(2) If the father (or mother, if the father is deceased) of the homesteader resides upon a farm in the vicinity of the land entered for the requirements as to residence may be satisfied by such person residing with the father or mother.

(3) If the settler has his permanent residence upon farming land owned by him in the vicinity of his homestead, the requirements as to residence may be satisfied by residence upon the said land.

Six months' notice in writing should be given to the Commissioner of Dominion Lands at Ottawa of intention to apply for patent.

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