

DR. PUGSLEY'S GREAT SPEECH.

The Eminent Attorney General Throws Hot Shot into Opposition Ranks.

An Effective Reply to Slanders Uttered Against Him.

The order of the day, the budget, being called in the legislature Thursday afternoon, the Speaker gave his decision on the point raised by the premier with reference to Mr. Smith's amendment.

He said the words "in violation of the principles of the independence of parliament" were not in order, because they were not justified by the statute, and that they should be stricken out.

This was done and the amendment as altered, accepted.

Hon. Dr. Pugsley then resumed the debate on the budget.

He said: Last evening I was speaking of the statements made by members of this House and circulated by the opposition that I had received large amounts of public money improperly during the past five years. It was said that from 1901 to 1905 I had been paid by the government upwards of \$42,000. I showed that these statements were entirely without foundation, and any gentleman who chooses to examine the public accounts can see that those statements are wild and absurd. As it is the duty of the government to give accurate information in regard to all public matters, so it is the duty of the opposition to make truthful criticisms and not disseminate false information.

No parliamentary language that can be used in this House is strong enough to describe the statements in which he knows to be false, but if a man outside of the walls of this House said such things I would characterize him as a liar; and if he persisted in his statement when shown the truth I would brand him as a wilful and malicious liar. The men who have made these statements so unjustifiable and so injurious to me should have had in mind the lines of that great genius Shakespeare when he says:

Who steals my purse steals trash.

'Tis something, nothing, 'tis mine, not his.

And has been slave to thousands.

But he who filches from me my good name

Robs me of that which, not enriching him

Doth make me poor indeed.

Many of the gentlemen who have made these charges attend their churches Sunday after Sunday and hear there recited the Divine command "Thou shalt not bear false witness against thy neighbor," yet they go on from day to day repeating these false statements. An examination of the reports of the auditor general will show that apart from the case taken before the judicial committee of the privy council the contingencies of my office, not one dollar of which came to my hands, my travelling expenses, which go to railways and hotels, my salary and sessional indemnity, I have only received \$5,550 from the public funds of the province during the past five years. And yet in the face of these facts gentlemen opposite seek to create the impression that I have been robbing the treasury. I ask now if there is anything to justify such a statement? If the leader of the opposition will rise in his place and say that the charges I have made are excessive, let him accept the suggestion I made last evening and refer them to any three eminent barristers. I repeat that I will pay all expenses in connection with the inquiry; I will give a bond to return to the province any money which they will say was improperly paid. Nay more than that, if they should determine that my charges were excessive I will resign my seat in the executive and will leave to others the work that I have been doing. Now as the legal gentlemen from Charlotte who sits opposite has been making up a list of payments to me which he says were improperly made I ask him to read them over.

Mr. Grimmer here rose and read the following paper:

1901—Dunn vs the King, \$400; one-sixth executive travelling expenses, \$238; salary, \$2,100; travelling fees, \$200; settling succession duties, \$2,016.57; sessional indemnity, \$340; total, \$5,294.57.

1902—Dunn vs the King, \$500; salary, \$2,100; travelling fees, \$300; counsel fees Eastern Extension, \$5,225; settling succession duties, \$1,300; sessional indemnity, \$340; one-sixth executive travelling fees, \$266; total, \$8,871.

1903—Salary, \$2,100; travelling fees, \$300; sessional indemnity, \$340; settling succession duties, \$909.52; counsel fees, etc., \$3,000; one-sixth commissioners provincial hospital, \$120; one-sixth executive travelling fees, \$190; total, \$8,960.02.

1904—Salary, \$2,100; travelling expenses, \$400; sessional indemnity, \$500; settling succession duties, \$2,544.15; counsel fees, etc., \$4,579.91; one-fifth commissioners provincial hospital, \$115; total, \$10,284.60.

1905—Travelling expenses, \$775; salary, \$2,100; sessional indemnity, \$500; settling succession duties, \$535; counsel fees, etc., \$4,625; Sunday legislation, \$200; additional fees paid since end of year for settling succession duties of 1905, \$2,811.49; one-sixth commissioners provincial hospital \$88 total, \$11,674.49.

Summary—1901, \$5,294.57; 1902, \$8,871; 1903, \$8,960.02; 1904, \$10,284.60; 1905, \$11,674.49.

Average for five years, \$8,160.

Hon. Mr. Pugsley—He now mentions for the first time the sums I received for my services in connection with the Eastern Extension claims. I was not aware that these

services were included in his list, for they were performed long before 1902. Most of them were before I became a member of the government. There has never been a question as to the amount I received for my services in that matter. I may ask here also what fairness is there in including an amount paid on account of succession duties in 1906 to the account of 1905. He has also included in the amount charged to me in 1901 the sum of \$618 for succession duties I did not receive at all, that sum being paid to Messrs. White and Emerson before I became attorney general. He also includes an item of \$500 of which sum \$350 was paid to Mr. White for professional services, although the warrant was made out in my name. He also includes among the charges in the account of the case before the privy council the sum of \$1041, paid to Field, Riscoe & Co., of London, for their services as solicitors.

Now, the questions to be answered in connection with these charges are two in number. First, was it right that the work should be done, and, second, were the amounts charged for doing this work excessive? First, let me take the representation case. Ought or ought not the government have undertaken the appeal to the privy council? The question was discussed in the legislature and I think the general opinion was that the case should be taken up. We had entered into confederation under certain terms with regard to representation, which we thought only applied to the four original provinces of the Dominion, and my colleagues felt with me that when the result of the last census was to deprive us of one of our representatives, the time had come when we should stand by the test of our character and do something to prevent ourselves from being swamped by the new and rapidly growing provinces of the west. It was, therefore, determined to have a test case and the whole House concurred in that view. The people of the province also concurred. The premier will bear me out in saying I did not wish to go to London to argue the case. I urged him to employ other counsel. I felt that it would not pay me to leave my business so long. But the premier insisted that I should go and I went. Will anyone say that I should not be paid for the services that rendered it necessary for me to cross the Atlantic and took me so long from my own private practice. When the late Judge King, one of the most honorable men, was 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 \$3000, besides as much 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. Mowatt 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 the leading counsel throughout the province. The same system is followed in the province of Quebec. 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 respect to letters patent, and with regard to all 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 written five thousand and six hundred letters a year, and that there is scarcely a day when I do not write from twenty-five to thirty letters. I swearer case. Was it not right that I can say that I have never

skipped my work. I can appeal to my 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 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 was 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 the 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 lands damaged at the time the railway from St. John to Shediac was built. The papers in the case appear to have been lost or burnt. The claim was for \$20,000 or \$30,000. Would we not have committed a breach of 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. I was of the 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 going to Ottawa to argue the case, a business which took three days of my time.

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. The sum of nearly five million dollars 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 award and add to it the simple interest it will amount to \$1,500,000, at least, and if compounded it would be nearly two million dollars. 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 this 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 the

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

(Continued on third page.)

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I again honor with your confidence. I shall endeavor to have the work to which the city is now committed, carried on economically and well.

I respectfully solicit a renewal of your confidence.

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trimming they invariably have either bands of the self fabric stitched, or some clever hand embroidery, usually done by the weaver's own fair fingers. The surplice waist takes kindly to the embroidered trimming idea. This one, in soft grey chiffon mohair, has the front outlined with an embroidered design in three tones of grey. The chemisette is a fine white handkerchief linen with a cravat bow of cream lace as a touch of dressiness.

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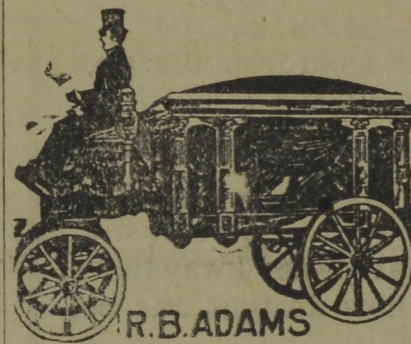
No. 303 Mixed for Campbellton, Moncton, Chatham and Loggieville, 5.45
No. 301 Express for Montreal, Chatham, Loggieville, 16.20
No. 317 Suburban for Marysville, 6.15
No. 321 Suburban for Marysville, 11.15
No. 327 Suburban for Marysville, 18.25
No. 329 Suburban for Marysville, 21.00

TRAINS WILL ARRIVE AT FREDERICTON

No. 302 Express from Montreal, Quebec, Chatham and Loggieville, 13.05
No. 304 Mixed from Chatham Junction, Chatham and Loggieville, 18.35
No. 318 Suburban from Marysville, 8.15
No. 322 Suburban from Marysville, 19.15
No. 328 Suburban from Marysville, 19.15

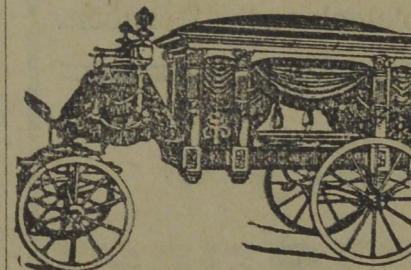
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