

way. Now, this starts out by saying: "Subject to the conditions hereinafter mentioned, the Governor in Council" may grant so and so. Now, one of the conditions is this one in paragraph (i), and it is purely a contingent condition. The Bill commences: "Subject to the conditions hereinafter mentioned," subject to these conditions the \$11,000 is to be paid. Now, the conditions may be absolute or they may be contingent; if they are absolute, of course the company is bound to carry them out to the letter; if they are contingent, then of course they are not absolute, and the company is only bound to carry that out provided such and such takes place; and the proviso in this is that if the company get any lands, then 50,000 acres shall go to the Government. When this is passed, if the Canadian Pacific Railway does not become possessed of those lands, there is nothing in the Act at all which would debar the company that built the road, from getting \$11,000 per mile; that is absolute. What does my hon. friend the Minister of Public Works say now? My hon. friend the Minister of Public Works is going to France, and to Germany, and all over the world to view public buildings—

The MINISTER OF PUBLIC WORKS (Mr. Tarte). I have not gone yet.

Mr. FOSTER—so that he may become an architect skilled in plans and the like of that. My hon. friend may go and have his visit, and it may be paid for by the country, but I would not give the snap of a finger for his architectural knowledge, even as well developed mentally as he is. Now, my hon. friend is not a lawyer, and I leave it to the lawyers in the House, to the Minister of Marine and Fisheries, if conditions are attached to a grant and some are absolute and others are conditional, if this railway company carry out the absolute ones absolutely, and the contingent ones contingently, then, so far as the Act is concerned, if the company does not get possession of these lands, as that is a contingency, and the lands are not given by it, it has a right to demand the subsidy and must get it.

The MINISTER OF RAILWAYS AND CANALS. The passing of this Act is only permissive. It only authorizes the Government, if they choose to do so, to enter into an agreement with the Canadian Pacific Railway for the purposes of the construction of the road. It in no particular imposes an obligation upon the Government to do it, and it confers no right upon the Canadian Pacific to come to the Government and say, "You must enter into an agreement and you must give us a subsidy for the construction of this road. It is entirely optional, absolutely discretionary with the Government whether they should do it or not. The terms embodied in the Act are the result of a long discussion. It was impossible for the

Canadian Pacific Railway Company absolutely to agree that it should hand over these lands, because they do not know absolutely that the lands will be theirs, but it is clearly and explicitly understood that unless the Canadian Pacific Railway do acquire these lands they will not be entitled to receive one dollar of subsidy from the Government, and I state most emphatically to this committee that such a clause will be embodied in the agreement, should we, in the end, be in a position to enter into an agreement.

Mr. FOSTER. My hon. friend has acknowledged the whole principle and basis of my contention. He has explicitly stated that in the contingency of it being impossible to get the land the company cannot hand over the 50,000 acres. But the Minister says that this Act does not oblige him to enter into any contract. We are placing \$3,630,000 in the hands of this Government and we are voting that money under certain conditions. The Minister says that one of the conditions is that unless the company is in a position to hand over the lands, no agreement will be entered into. That is a contingency. I ask my hon. friend the Minister of Railways, is it absolutely understood that if the Canadian Pacific Railway cannot guarantee 50,000 acres of these lands that the Crow's Nest Pass Railway will not be built subject to these conditions?

The MINISTER OF RAILWAYS AND CANALS. The Crow's Nest Pass Railway will not be subsidized by this Government, at all events, unless Parliament shall again be referred to, upon these terms, upon the terms of giving \$11,000 a mile, unless the Canadian Pacific Railway put themselves in a position to assign to the Government, 50,000 acres of coal lands.

Mr. FOSTER. I think Parliament, if it is going to affix the conditions at all should make them absolute and that they should not be left to the Minister of Railways and Canals. This is an important matter we are considering, and we should lay the conditions down straight and plain.

The MINISTER OF RAILWAYS AND CANALS. What does the hon. member (Mr. Foster) propose? The subject to which he has referred has been very much discussed, both by the Canadian Pacific Railway and ourselves. However, if the hon. gentleman has any words which he would suggest, let him propose them, and I will consider whether I will consent to adding them to the Act. But I may say that the addition of any words which will vary the terms of the proposal as they are submitted might involve the contingency as to whether or not the Canadian Pacific Railway will be in a position to comply with them.

Mr. FOSTER. When the Minister of Railways and Canals brought this proposition down and recommended it to the House, of