

Mr. HAZEN: Any papers in the department bearing upon this matter I shall be happy to lay before the House without any motion being made. My hon. friend refers to the judgment delivered in the Supreme Court of Canada last week. Certain questions which were framed by consent between counsel acting on behalf of the Government of Canada and counsels acting on behalf of the Government of British Columbia were submitted to the Supreme Court. Those questions had reference to the respective jurisdiction of the federal authorities and the provinces in connection with the fisheries, but while they were framed with special reference to British Columbia, they were equally applicable to the other provinces of Canada, and other provinces joined with British Columbia in retaining counsel for the purpose of having the views of the provinces presented to the Supreme Court. I have read the judgments of Messrs. Justices Idington and Anglin, and I understand that the other judges concur in these judgments. All of the questions were answered in the negative and therefore in favour of the federal authorities. The questions were:

1. Is it competent to the legislature of British Columbia to authorize the Government of the province to grant by way of lease, license or otherwise, the exclusive right to fish in any or what part or parts of the waters within the railway belt—

(a) As to waters as are tidal, and

(b) As to such waters as although not tidal are in fact navigable?

2. Is it competent to the legislature of British Columbia to authorize the Government of the province to grant by way of lease, license or otherwise the exclusive right, or any right, to fish below low water mark in or in any or what part or parts of the open sea within a marine league of the coast of the province?

3. Is there any and what difference between the open sea within a marine league of the coast of British Columbia and the gulfs, bays, channels, arms of the sea and estuaries of the rivers within the province, or lying between the province and the United States of America, so far as concerns the authority of the legislature of British Columbia to authorize the government of the province to grant by way of lease, license or otherwise, the exclusive right, or any right, to fish below low water mark in the said waters or any of them?

Since all these questions have been answered in the negative it would appear that the contention made by the federal Government has been upheld in its entirety. Possibly after a careful reading of the judgments it may appear that that statement is too wide, but still, I think that is the effect of the judgment.

Mr. McKENZIE: As the case is of great importance, would the minister be good enough to have the questions and

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answers printed? They would be very useful to the members.

Mr. HAZEN: I shall be very glad to consider the request of the Honourable gentleman.

QUESTIONS OF PRIVILEGE.

Mr. EDWARDS: I rise to a question of privilege. In his speech in the House yesterday, shortly after I had left the chamber, the hon. member for Red Deer (Mr. Clark) made this statement:

The hon. member for Frontenac (Mr. Edwards) says that a Canadian navy would be a separatist navy.

I merely wish to state that I did not say anything of the kind, and no such words will be found in the speech I made in this House.

Mr. J. P. O. GUILBAULT (Joliette): (Translation.) Mr. Speaker, before the orders of the day are called, I wish to raise a question of privilege. I would like to bring to the knowledge of this House the analysis which a Montreal newspaper, 'Le Canada,' has made, on the 25th of February, of the speech delivered by me in this House, on Monday. This paper says that my motion for a plebiscite involves the following questions:

1. Are you in favour of a contribution?

2. Are you in favour of a navy which could be put at the disposition of the Admiralty?

3. Are you in favour of a navy which should be used exclusively for the defence of the coasts of Canada?

Now, that is not at all the meaning of my proposition. In fact, by a plebiscite, I would put, as stated in my speech, the following questions:

1. Are you in favour of the statu quo?

2. Are you in favour of the navy as adopted by the Laurier administration?

3. Are you in favour of a contribution?

As you see, these questions are very much different from those which have been attributed to me by the newspaper I have just referred to.

NAVAL FORCES OF THE EMPIRE.

Consideration of the proposed motion of Mr. Borden, for the second reading of Bill No. 21, to authorize measures for increasing the effective Naval Forces of the Empire, and the proposed amendment of Mr. Turriff thereto, and the proposed amendment to the amendment by Mr. Guilbault, resumed from February 25.

Hon. CHARLES MURPHY (Russell): In rising to address the House upon the important subject which continues to engage its attention, I do so with a feeling of thankfulness to the Government for hav-