

faith of the country is pledged, and which we cannot possibly affect by any legislation we may adopt. The Company have undoubtedly a right to demand when that property is surveyed and subdivided, a certain proportion of the territory which is defined in the bargain, and we should be bound to give it to them in the condition in which it is; but the intention of the Government in making this reserve is not to survey and sub-divide this park in such a way as to give rise to any claim on the part of the Hudson Bay Company. In the meantime I can see no way of getting rid of that difficulty. If we went to the Company and asked to settle with them we might be forcing upon ourselves a claim which would be difficult to meet. The Dominion Government are making use of this property, which does not require a survey, and the probability is that as long as it remains a park the survey will not be required. We must not do anything to destroy the contract or to infringe upon any rights the Company may have. It would not be consistent with public faith; on the other hand there is no obligation on us moral or otherwise to make a sub-division survey. Probably whatever Government may be in power when it is necessary to survey and sub-divide the land, will come to some understanding with the Hudson Bay Company before doing so.

HON. MR. POWER—The hon. gentleman says it will be contrary to good morals to do anything that would invalidate or interfere with the contract that was made with the Hudson Bay Company, and then he proceeds to tell us that in order to get round that contract the Government do not propose to survey this property at all. That was not a moral proposition, to my mind. My proposition is this: that the Hudson Bay Company, being entitled to a certain portion of the lands out there in their native State, the Government should provide that instead of giving them a portion of this 260 square miles, they should take power to give them an equivalent of similar lands in the neighborhood.

THE SPEAKER—And supposing they did not take it?

HON. MR. ABBOTT.

HON. MR. ABBOTT—We cannot legislate that the Hudson Bay Company must take and shall take other lands, because we have contracted to give them certain pieces of land when the time comes for giving it to them, and we cannot invalidate that by saying they shall take other portions of land. We are not guilty of any breach of faith in reserving this land and avoiding the survey of it while it is used for the purposes of a park. There is no obligation expressed or implied that the Government shall proceed in any time whatever to survey the lands which the Company sold to this country. In fact the very idea of the transfer of this enormous territory, a large portion of it not fit for cultivation, implied that some portions of it would never be surveyed. The portion taken for this park is not suitable for the purposes of agriculture, and I do not think therefore that we could either legislate to compel the Hudson Bay Company to take other lands in place of those which we have contracted to give them, or that we are violating our contract with the Company in abstaining from subdividing and surveying the property.

HON. MR. ODELL—This claim of the Hudson Bay Co.'y is a contingent claim under a contract which the Government are bound to fulfil when the time comes to do so. It therefore seems to me if we omit this clause entirely we remain in the same position we now are. This clause gives the Hudson Bay Company no claim on the property that they do not now have; but it may induce them to think they have some claim, and they may turn their attention to it and push for some compensation. I do not see that it is at all necessary to insert this clause in the bill; it will not interfere with their claim if they have any, and it is for that reason the Government have determined to put in some provision which will protect the two clauses of the Act which seem to bear upon it—the second and third. The third clause, if it became law, would prevent the Hudson Bay Company from taking possession, and it is to avoid the possibility of such construction being put upon it, in justice to them, that the amendment was suggested.