

accepted as current for competent workmen in the district in which the work is being performed; and if there is no current rate in such district, then a fair and reasonable rate; and in the event of a dispute arising as to what is the current or fair and reasonable rate, it shall be determined by the minister, whose decision shall be final.

Hon. Mr. CLORAN—I move that after the 26th line of this clause the following be added :—

Notwithstanding any contract previously entered into.

We have had difficulty in British Columbia, where contractors make contracts with men and bring them into these districts at lower wages than the government are paying. This question has been raised in the courts, and I think, as the government is desirous that workmen should get fair and full wages, that this addition should be put in.

Hon. Sir MACKENZIE BOWELL—That would not be fair.

Hon. Mr. CLORAN—The Minister of Justice and the courts of the country are having trouble on that point. The government are anxious the workmen should get fair wages. The contractors are able to make contracts outside, either in the United States or in foreign countries, and bring the workmen into Canada and pay less wages than the government want to pay them.

Hon. Mr. DeBOUCHERVILLE—There is also the case where workmen are brought in by contractors and are not paid at all. I can cite a case where 100 Italians were employed by a man who paid them nothing. It was under the Mercier government, and the government took upon themselves to pay them. I do not know that they had the right to do so. It is very hard to have those poor people working for weeks and getting nothing.

Hon. Mr. SCOTT—I think the last sentence of the clause covers it :

And in the event of a dispute arising as to what is the current or fair and reasonable rate, it shall be determined by the minister, whose decision shall be final.

Hon. Mr. DeBOUCHERVILLE—But the company will say they are not bound to carry out the contractor's bargain, and I think there should be something in the law, that if they do not pay in a certain number of days they should be punished.

Hon. Mr. SCOTT.

Hon. Mr. SCOTT—If hon. gentlemen would reflect, they would see that all the contracts that are entered into now contain what is called the fair-wage clause—that the fair-wages in the locality shall be paid to the labourer. It is pretty well guarded.

Hon. Sir MACKENZIE BOWELL—That is contracts entered into by the government, not in all cases of private contracts, but it would rather be a stretch of authority if we were to pass a law now to annul contracts which were made before the passage of this Bill. There would be no safety for a man who would take a contract under the circumstances, and on no account ought we to pass a retroactive clause of the kind suggested by the hon. gentleman. There is no possible means of reaching the case that is cited by my hon. friend from Montarville, where the contractor is the employer. If he cheats the employee there is no means of compelling him to pay unless he sues him for it. I know the practice was, under the late government—and I think it has been carried out under the present government—that where a road has been subsidized by the government, and the contractor has failed to pay, they have withheld the bonus until those whom the contractor has failed to pay were paid. The principle prevailed in the canal system. That is a provision that might be made in this law—that where aid is given by the country for the construction of a road that all bonuses should be withheld until those employed in the construction of the road were paid, and that is as far as you can go.

Hon. Mr. DeBOUCHERVILLE—Does the hon. Secretary of State approve of what the hon. gentleman says ?

Hon. Mr. SCOTT—It has been the practice, but I prefer not putting it in an Act of parliament.

Hon. Mr. DeBOUCHERVILLE—Where do you put it ?

Hon. Mr. SCOTT—In every contract.

Hon. Mr. DeBOUCHERVILLE—But why not say they shall put that in the contract ?

Hon. Mr. SCOTT—You cannot draw a hard and fast line like that.