

that the public interests are prejudiced for lack of this extension of the expropriation powers. During this afternoon the Minister of Railways repudiated the expression used by my hon. friend from Toronto with respect to the term 'option,' saying that the government were asking for power to expropriate options on private property. One of the strong arguments that he used was that the word 'option' did not occur in the Bill. Now, I am not a lawyer, and may not understand an argument of this kind, but it seems to me there was no necessity for using the word 'option' in order to express the principle. If I offer to my neighbour a piece of property and say: 'You may have this property for a certain sum of money any time within the next thirty days.' I do not think it is necessary for me to put into that offer the word 'option' in order to convey the idea that it is essentially an option that has been given to him. There is nothing in the position taken by the Minister of Railways that the power of expropriating options in private property is not contained in the Bill, because the Bill certainly does contain that principle.

Now, as I have already said, the hon. gentleman and his friends have failed to show to what extent, if any, the public interests are prejudiced by the lack of these extended powers. I think this proposition is a very serious invasion of private rights, and one that is likely, if put into practice, to lead to interminable litigation, vexatious in character and unsatisfactory to the public at large. More than that, it is one that is capable of very extensive abuse by the agents of any government that may be in power. I think it has been clearly established during this debate that the public interests are very well served and protected by the law as it now stands, and that the invasion of private rights to any further extent in this direction would arouse a good deal of feeling in this country. If it became known that any man's farm, any man's homestead, whether in town or country, was liable to be invaded in consequence of this Bill, certainly it would arouse a grave feeling of disquiet, and create uncertainty in the tenure of real estate of any kind. All the requirements of the public interest are sufficiently served by the law we now have. It does appear to some persons that this Bill is not being promoted in the public interest, but it is brought in to benefit some private individuals, and the promoters of the Bill have not had sufficient candour to state their object plainly to the House. But if such is not the object, I see no sufficient reason in the public interest to grant these extended powers to the government that are asked for in this Bill.

3. The fact of such abandonment or re-vesting should be taken into account in estimating or assessing the amount to be paid to any person claiming compensation for the land taken.

The MINISTER OF JUSTICE (Hon. Charles Fitzpatrick) moved to insert after the word 'account' the words 'in connection with the other circumstances of the case.'

Amendment agreed to.

The MINISTER OF JUSTICE moved that another clause be added as clause 6, to read as follows:

That nothing herein contained should affect any pending interest or claim.

He said: This is to make it absolutely clear that the Bill will not be retroactive, as I promised to do before recess.

Amendment agreed to.

Bill, as amended, reported.

#### JUDGES' RETIRING ALLOWANCES.

The MINISTER OF FINANCE Hon. W. S. Fielding) moved:

That Bill (No. 7) to amend chapter 138 of the revised statutes with respect to retiring allowances of judges be dropped from the order paper.

He said: It is intended to bring this Bill up in another form.

Motion agreed to.

#### THE PUBLICATION OF THE STATUTES.

Bill (No. 11) to amend the Act respecting the publication of the statutes (the Minister of Justice), read the second time and House went into committee thereon.

On Section 1.

The MINISTER OF JUSTICE (Hon. Charles Fitzpatrick). Under the law as it exists, when you apply for a copy of a Bill to the clerk of parliament, you are obliged to pay 10 cents per folio of 100 words. In the case of a long Bill like the Bill to amend the Railway Act, or the Criminal Code, this charge becomes excessive. The amendment provides that after you pay \$2 to the clerk for his certificate, then you have to pay the actual cost of printing and no more.

Mr. SPROULE. Will there be any saving in the case of short Bills when you have to pay the \$2 anyway.

The MINISTER OF JUSTICE. This Bill is introduced at the suggestion of the clerk himself, who finds that the charge has been excessive, and that many persons who apply for Bills have complained.

Mr. HENDERSON. I always thought that when the Bill was signed by the King's printer there could be no stronger certificate as to its accuracy.

The MINISTER OF JUSTICE. The law is that you have to apply to the clerk for a certificate that that is the Bill introduced which was in parliament.