

Act is ultra vires, and also to the suggestion of counsel for the Grand Trunk Railway Company upon the argument of the matter in the Supreme Court to the effect that there is no limit of time within which the company, if unsuccessful, would be bound to appeal to the Judicial Committee of the Privy Council, and that the provision as to proclamation and bringing of the Act into force is therefore ineffective; and referring also to the fact that this company now states its definite intention to apply for leave to appeal in November next, setting forth reasons for the delay in the meantime:

1. What action, if any, does the government propose to take in the meantime?

2. In the event of allowing the delay proposed, what action will the government take in case the company then fails to apply as proposed, or to take all the necessary steps for having the matter finally, and in due course of procedure, disposed of?

Hon. CHARLES FITZPATRICK (Minister of Justice.) I wish to call attention to the fact that there is an evident misprint in this question. As the question reads it says that the Act was found to be ultra vires. The decision was that the Act was intra vires of this parliament. With that remark I would like to add that the railway company interested, not having made an application during the present sitting of the Privy Council for leave to appeal from the judgment of the Supreme Court have given an undertaking that they will apply at the November sittings. When that question is disposed of, of course it will be the duty of the government to see to it that effect is given to the expressed intention of parliament.

#### POSTMASTER AT CHELSEY, ONTARIO.

Mr. BARR asked:

1. Is the office of postmaster in Chelsey, Ontario, vacant?
2. If so, at what date did it become vacant?
3. If filled, at what date, and by whom?
4. If not filled, why not?

Right Hon. Sir WILFRID LAURIER (for the Postmaster General). The Chesley post office, Ontario, is not vacant. Mr. Richard Lillico was appointed postmaster on the 6th instant. The office became vacant on the 5th May, 1904, owing to the death of the postmaster.

#### CONTROVERTED ELECTION.

Mr. DEPUTY SPEAKER. I have the honour to inform the House that I have received from two of the judges selected for the trial of election petitions pursuant to the Dominion Controverted Elections Act, a certificate and report in the matter of the election petition for the electoral district of Nicolet, by which the said petition was dismissed and the sitting member declared duly elected.

#### MORNING SITTINGS.

Sir WILFRID LAURIER moved:

That, commencing with Wednesday next, and until the end of the session, the House shall meet

on that day, and on each subsequent sitting day, at eleven o'clock in the morning; that, in addition to the usual intermission at six o'clock p.m., there shall also be an intermission every day from one to three o'clock p.m., and that government orders shall have precedence at all such sittings, members having still the right to ask questions on Mondays, Wednesdays and Thursdays.

He said: I would like to add the following words which are not in the notice:

And that when this House adjourns on Friday next it stands adjourned until the following day at eleven a.m.

That is to say the House is to sit on Saturday.

Mr. R. L. BORDEN. I presume there are no railway subsidies to come down this session?

Sir WILFRID LAURIER. There are no railway subsidies to come down.

Mr. R. L. BORDEN. And I suppose practically all the government business is now on the order paper?

Sir WILFRID LAURIER. Practically all the business of the House is before us with the exception perhaps of certain resolutions of which I am not permitted to speak at this moment.

Mr. FOSTER. I suppose there would be no objection to, say on Monday, giving time to run through the order paper and wipe off the notices of motion? There are a number there that we would like to get through so as to get the returns.

Sir WILFRID LAURIER. This is Monday, it would do just as well to-day.

Mr. FOSTER. There will be one or two more by next Monday and it could all be done by one sweep.

Sir WILFRID LAURIER. Very well.

Motion as amended, agreed to.

#### LAND TITLES ACT, 1894, AMENDMENT.

Bill (No. 162) to amend the Land Titles Act, 1894.—Mr. Oliver, read the second time and House went into committee thereon.

On section 1,

Mr. R. L. BORDEN. I do not know that we have had any explanation of what this Bill is.

Mr. OLIVER. Section 1 is merely to say in the simplest terms that the Land Titles Act now in force in the Territories shall remain in force until replaced by a Land Titles Act to be passed by each of the provinces now to be organized.

Mr. R. L. BORDEN. Why is it that you need this in view of the provisions of section 15 of the two Autonomy Bills which we have been debating? There may be a perfectly obvious reason, but I must confess that I do not see it now.