In that light, there are some features of this Bill to which I would call the attention of the Minister of Labour. In section 2 we have the provision that this law will apply to all railway companies, whether under the jurisdiction of the parliament of Canada or of the legislature of any province. I question very much whether we have the right in this parliament to legislate in case a difficulty should arise between the employees of a railway under provincial jurisdiction and the company operating that railway. At first sight, I do not think we have that right, and it seems to me to be a matter upon which we should have the opinion of the Department of Justice. In case any difficulties arose between railway companies under the control of the local legislature and their employees, upon what ground could we intervene or bring the machinery provided in this Bill to bear? This leads me to submit this further consideration to the hon. minister. We have had no legislation of this kind, so far as I am aware, previous to 1900, and it seems to me doubtful whether we have any jurisdiction at all to provide legislation for the settlement of railway disputes between employers and employees. These difficulties arise in connection with the contract for the lease and hire of work, and that contract falls under the subsection of section 92 of the Confederation Act, which leaves to the local legislatures everything which has reference to property and civil rights. The difficulty which exists to-day in the city of Montreal, is one arising out of the conditions connected with the lease and hire of work, and I question very much whether this parliament has any jurisdiction in regard to matters of that kind. I suppose it might be claimed that under the general terms of the Confederation Act, which says that the parliament of Canada has the right to legislate for the peace, order, and good government of Canada, we might possibly intervene; but outside of these words, I think all difficulties connected with labour disputes are under the jurisdiction of the local legislature, and that has evidently been thought to be the case, since the hon. member who has just taken his seat has referred to the measure on the statute-book of the province of Ontario relating to this very subject. I do not by any means claim to decide the point, but I think it is one well worthy of the consideration of the Department of Justice before we go any further in the consideration of this Bill. I wonder whether the hon. Minister of Labour has considered the wording of chapter 24 of 63-64 Victoria, the Conciliation Act of 1900. It seems to me that everything which is provided for in this Bill is equally provided for in that statute. The machinery may be a little different, the wording is different, but the same object is attained. Section 4 of that statute says:

Where a difference exists or is apprehended between an employer or any class of employers and workmen, or between different classes of workmen, the minister may, if he thinks fit, exercise all or any of the following powers.

This Bill makes the same provision, except that its machinery is restricted to railway companies. There is some difference in the organization of the conciliation commission and afterwards the arbitration board; but if experience has taught the Department of Labour that the particular machinery provided for in this Bill is better machinery, why not modify the statute of 1900, and make it serviceable for everybody? —because strikes and labour difficulties are likely to occur between all classes of employers and employees; and I do not see why one kind of machinery should be provided for in the statute of 1900, applicable to difficulties that may occur, for instance, between shippers and longshoremen, and another and better system of machinery, applicable only to railway companies and their employees. There is another feature of this Bill which I think we ought to consider very carefully before we pass it. The machinery it provides for will be expensive, there is no doubt about that. In the first place, the conciliation commission may be entirely organized by the minister himself. I do not know whether that is the interpretation of the hon. minister; but, as I read the Bill, if both parties to the dispute refuse to take part in the nomination of a member of the conciliation commission, the minister then has the jurisdiction to name them himself, as well as to name the third member of the commission; so that there will be a conciliation commission named entirely by the minister. I presume that of course he would endeavour to choose members who would represent all the interests affected; still the facts remain that the minister or the department of the government alone would name the commission, a commission that would act at the expense of the Dominion government. But what would that commission do? Its functions are merely of an investigating and conciliatory nature. It makes an investigation; it ascertains the facts. Have we not a department, costly enough, which at the present moment has power to ascertain the facts? Without naming three men or incurring extra expense, the Minister of Labour has the entire machinery of his department under his control, and can ascertain the facts just as well as they could be ascertained by this special process. And that work is done at the present moment, as my hon. friend from Toronto says, by the deputy minister. In fact, as soon as that official sees one of these difficulties dawning, it is his duty to investigate the facts. But apart from that, I think he has the power to ascertain the facts under oath, in such manner as he sees fit. Then, in case the recommendations of this commission