

PRINCE EDWARD ISLAND RAILWAY—TENDERS FOR PRIVILEGE OF SELLING NEWSPAPERS.

Mr. LEFURGEY—by Mr. A Martin—asked :

1. Were tenders called for news-stand, Prince Edward Island Railway, Charlottetown? If so, who were the tenderers, and amounts, respectively?

2. Has the contract been let?

Hon. H. R. EMMERSON (Minister of Railways and Canals). Tenders were called for the privilege of selling newspapers, &c., on the trains and at the stations of the Prince Edward Island Railway. As the tenders have not been finally dealt with it is not considered advisable to give the names and amounts of the tenderers.

EXPROPRIATION OF TELEPHONE LINES IN MANITOBA.

On the orders of the day being called:

Mr. W. J. ROCHE (Marquette). Mr. Speaker, I would like to ask the right hon. Prime Minister (Sir Wilfrid Laurier) if he has as yet received the opinion of the Minister of Justice regarding the memorial of the Manitoba legislature which was presented to this parliament and to the Governor in Council with respect to the expropriation of existing telephone lines in that province. As the Prime Minister knows I have a Bill upon the order paper, but it is too far down to be reached owing to the lateness of the session, and it is my intention to endeavour to accomplish the purpose by another method—by means of an introduction of an amendment to the Bill to amend the Railway Act. But if the Minister of Justice declares that it is ultra vires of this parliament to confer such a power upon the provincial legislatures it is useless for me to even go that far as the government would not accept such an amendment. If, on the other hand, the opinion of the Minister of Justice is that it is within the jurisdiction of this parliament then it is my desire, when these amendments are introduced, to propose an amendment to the Railway Act to accomplish the purpose in that way, not for the province of Manitoba alone, but for any province in the Dominion.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister). My hon. friend the Minister of Justice (Mr. Aylesworth) is not sure whether there is yet a report on this point. I understand my hon. friend (Mr. W. J. Roche) wants to move an amendment and when he does so we can deal with it.

Mr. W. J. ROCHE. When the Bill for the amendment of the Railway Act is considered again will the hon. Minister of Justice be prepared with his opinion?

Sir WILFRID LAURIER. I cannot say that.

Mr. W. J. ROCHE. There is no use of my proposing legislation if it is ultra vires.

Mr. LEMIEUX.

Sir WILFRID LAURIER. We will deal with my hon. friend's amendment when he introduces it.

Mr. R. L. BORDEN. I would like to point out to the right hon. Prime Minister (Sir Wilfrid Laurier) that I understand when this question was previously mooted during the present session, the government raised doubts as to the constitutionality of the proposed legislation and promised the House that we should have an opinion from the law officers of the Crown upon it. It is true that the Bill of the hon. member for Marquette (Mr. Roche) is too far down to permit it to be reached this session, but he has another opportunity to accomplish the same purpose, not for the province of Manitoba alone, but for all the provinces, there seems to be no good reason why we should not have the opinion of the law officers of the Crown. The point has been raised, not by him, but by the government and the government, having raised that point, ought in all fairness, if not in all courtesy, to be prepared to state to the House what its opinion is as to the validity of the proposed legislation.

Sir WILFRID LAURIER. My recollection of this point is that when the matter was brought up by the hon. member for Marquette a few weeks ago, or perhaps a couple of months ago, the then Minister of Justice stated that he had doubts as to the constitutionality of such a law being passed by this parliament, and that he would look into it with the view of trying to give his opinion. I do not know that the matter went further than that.

Mr. W. J. ROCHE. It is not the Minister of Justice who stated that; it was the Prime Minister himself.

Sir WILFRID LAURIER. Perhaps so.

Mr. W. J. ROCHE. About two months ago the Prime Minister informed me it had been referred to the Minister of Justice, and later when I asked if an opinion had been given as yet he said not, and then I remarked that he should stimulate the new Minister of Justice to give his opinion, the right hon. gentleman promised to do so.

GOLD AND SILVER MARKS ACT.

Hon. W. S. FIELDING (Minister of Finance) moved the second reading of Bill (No. 211 from the Senate, respecting the sale and marking of manufactures of gold and silver. He said: This Bill comes to us from the Senate. I am informed it has been well considered there and that hearings have been given to the parties interested. Nevertheless it is of a very technical character and as the parties in the trade may still wish to be heard I propose to move the second reading of the Bill and have it referred to the Committee on Banking and