

For instance, if we had entertained this very proposition from Messrs. Cox, Hays and Wainwright, that moment it would have been placed among the archives of the government, and might be brought down. But as it was not entertained, it was of a private character.

Mr. CLARKE. On what date did this document lose its confidential character?

Sir WILFRID LAURIER. It never lost it until Mr. Hays gave permission to publish it. Therefore, I have this to say to my hon. friend, that in this matter I think I have acted not only in perfect good faith but according to parliamentary rules and practices. I have only to say in conclusion, that I do not object to the motion.

Mr. R. L. BORDEN (Halifax). The right hon. gentleman has given us some rather singular and novel ideas regarding the circumstances under which documents may be withheld by the government. In the first place, before dealing with the main question, let me point out that the Minister of Finance introduced this document on the 26th of May in answer to some observations made by my hon. friend from Lanark on the 6th of April. In other words, a period of more than seven weeks elapsed during which he allowed the debate to go on without producing this document, and it was only within three or four hours of the division, and when consequently that document could not be effectively commented on or used in the debate, that the Minister of Finance, with the kind permission of Mr. Hays, decided to bring it down. And my right hon. friend considers that a fair and decent treatment of parliament. I do not think that it requires anything more than a single statement of the facts to give the most absolute and utter condemnation of any such proceeding.

My right hon. friend declares that it is the privilege of any person in this country to approach the government in confidence and that that confidence ought to be respected. That is subject, it seems to me, to some qualifications. I have never heard that it was the privilege of any corporation or any group of promoters to approach the government in confidence for the purpose of tapping the treasury and to have that confidence respected. My right hon. friend's conclusion, if carried to its legitimate result, would lead to some singular consequences. Suppose a bank president was informed by a burglar in confidence that he proposed to break into the bank that evening, according to my right hon. friend's reasoning, the bank president would be bound to respect the confidence of the burglar. Suppose a railway company were to make a confidential communication to the Board of Railway Commissioners in which it pointed out that its rates exceeded those authorized by the commission, but submitted that as the communi-

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cation was made in confidence, the Board of Railway Commissioners should take no action; in such a case, according to my right hon. friend, the Railway Commissioners would have their hands tied until the information was disclosed to them in some other way. And suppose the Grand Trunk Railway should make a confidential communication to this government, pointing out that inasmuch as they are not bound by the terms of the contract, they propose to use all their efforts to gather up traffic in the Northwest, bring it by the Grand Trunk Pacific to Quebec, and thence carry it to Portland in the winter months, my right hon. friend would consider himself warranted in treating that as a confidential communication and in not informing the House or the country. I submit that when a proposal is made by a company to build a great public undertaking, when public aid is asked in a very generous measure, and when that proposal is carried out in part, as this was, the government are not in a position to treat it as confidential. I do not think that they would be in a position to treat it as confidential under any circumstances. I think that they were bound to adopt one of two courses. They should either have returned that document to Mr. Hays and said to him: This is a document asking public aid for a public undertaking and the government will not receive confidential communications on a subject of that kind. Or they should have informed Mr. Hays that his proposal would not be considered for one moment until he withdrew the term confidential and left the government at perfect liberty to submit it to parliament.

Mr. McCARTHY. Suppose the document had been returned by the First Minister to Mr. Hays, and suppose that afterwards the First Minister should have said to Mr. Hays: You made a communication to me in confidence which I returned to you, but I would like you to let me use it in order to refute certain allegations which have been made against the government, would not the right hon. gentleman have been warranted in then obtaining the document again and making it public?

Mr. R. L. BORDEN. My hon. friend has evidently not thought much on the subject or he would not make this interruption.

Mr. McCARTHY. That is not an answer.

Mr. R. L. BORDEN. I will give my hon. friend an answer. If that document had been returned to the Grand Trunk Railway and the negotiations were off, that would then be an end of the matter. But if the negotiations were resumed, they would be resumed on certain documents presented and these documents ought to be submitted to parliament when the measure is discussed. My hon. friend smiles, but there is not an hon. member other than himself who does