

margins of the rivers. We also found that at that time there was but one mill in the whole of that country. Hon. gentlemen will remember that, at the time this license was granted, the settlement of the North-West was in the direction of Battleford and Prince Albert and other points along the Saskatchewan River. The surveys of the Canadian Pacific Railway lay in that direction across the river in the vicinity of Battleford, and the settlement, in advance of any work being undertaken upon the road, was along the line of country through which it was supposed the railway would run. We had no reason to suppose that the settlement would cease to flow in that direction, because it was not contemplated by the then Government, nor for some time afterwards by our successors in office, that there would be any change in the location of the railway in that district. Therefore, there being only one mill in the district, where lumber was sold in many cases at a price as high as \$100 a thousand, it was desirable to induce other lumbermen to locate in that section. At that time the Surveyor General entered into communication with several parties, and he also communicated with Messrs. Cook & Sutherland, each of whom had applied for 100 square miles of timber limit, and both of whom agreed to unite in order to secure a limit between them. It was under these circumstances, when application was made, that the letter I have in my hand of the 6th June was addressed to Messrs. Cook & Sutherland by the Surveyor General. And he says :

"SIR,—I have the honor, by direction of the Minister of the Interior, in reference to your application dated the 14th ultimo, for a timber limit of one hundred square miles to be selected and surveyed at your cost in the vicinity of the Saskatchewan between Edmonton and the Rocky Mountains, the same having had the consideration of the Minister of the Interior, to inform you that, under certain conditions, he would be disposed to recommend the same to the favorable consideration of the Privy Council. As the great object of encouraging a proposal of this nature is to cheapen the price of lumber to settlers in the North-West Territories, the Minister would desire to receive an assurance from you that, whereas he understands that at present the price of lumber at the mills in Prince Albert is from \$35 to \$45, you should agree not to charge more at your mills than from \$25 to \$35, which he considers would be very profitable rates. In case the limit should be granted to you, a bonus per square mile would be required, in addition to which you would require to conform to the terms and conditions as regards payment of ground rent and royalty, as set forth in section 51 of the Dominion Lands Act, a copy of which is herewith transmitted."

That communication was sent to these gentlemen who had applied for this timber limit, and, when they agreed to the proposition there suggested, the Order in Council of the 7th October, 1878, was adopted. The right hon. gentleman will see that this order was adopted ten days before we retired from office. If that Government had followed the usual constitutional rule, they would have met Parliament. They did not do so. They followed the more recent examples set them by Lord Beaconsfield and by Mr. Gladstone, of retiring on the adverse expression of opinion by the country, without waiting to meet the House. But the hon. gentleman carried his Orders in Council, which I believe were undisturbed, on the 3rd November, which I believe was the very day his Government retired from office, but that was in pursuance of an intention which had been expressed at an earlier period. This Order in Council was also in pursuance of an intention which was expressed as

early as the 6th June. It was the year of the election. A great deal of business necessarily accumulates during the period when an election is being held which Ministers may or may not deal with after the election is over. The Government, or, at all events, I, as head of that Department, acted upon this principle: that all business which the Government had before them before the elections were held, which had been considered by me, which I was prepared to dispose of, should, in the public interest and to the public advantage, be disposed of before retiring from office, because that related to matters with which my successor in office was not likely, at all events for some time, to be as familiar with as I was myself. The Order in Council reads as follows:—

"On a memorandum, dated Oct. 4, 1878, from the hon. the Minister of Interior, representing that being of opinion that it would encourage and facilitate settlement in the valley of the Saskatchewan if facilities were afforded for obtaining lumber at a reasonable price, which he learns cannot be done at the present time, he recommends that a timber limit, to the extent of 200 square miles on the Saskatchewan River and its tributaries in the North-West Territories, be granted to Messrs. Cook & Sutherland, the same to be selected by them in blocks of not less than twenty square miles, the bonus payable on the said limit to be at the rate of \$15 per square mile.

"And further recommending that the applicants shall have a period of three years within which to make selections of the limit, which shall not interfere with any lands which may be set apart for the Canadian Pacific Railway, or for reserves of Indians or with school lands, or with any other timber limits which may have been previously granted or which may be hereafter granted and selected prior to the selection by said Cook & Sutherland, and shall in all respects be subject to the conditions contained in the provisions of the Dominion Lands Act."

Now, I do not very well see how greater restrictions could have been imposed; I am certain that the restrictions imposed in this Order in Council are very much greater than those which were imposed in Orders in Council subsequently granted. I know that in some of those granted before 1874 under a prior Government, of which the right hon. gentleman was the head, there were no such restrictions, and we provided here, contrary to the wishes of the parties themselves, that the privilege of making a selection should not stand in the way of any other party who might subsequently require a timber limit, prior to its being actually selected, holding that there was no pre-emption right existing over the territories of the Upper Saskatchewan which would prevent anyone else, who subsequently acquired a right to a timber limit, from making a selection simply because those parties had not selected all the lands they were entitled to select. Now, the right hon. gentleman, or his Government, repealed this Order in Council. I do not know by what authority; I do not know whether my friend behind me (Mr. Cook) ever took legal advice in regard to that; but I understood that he had employed parties to explore the country to make that selection on that Order in Council—that he incurred large expense; and I do not think it was in the power of the Government to do what they did, to undo what had been done legally, in my opinion, by their predecessors in office. But, however that may be, I simply call attention to this fact, that after that Order in Council was repealed, or action upon it suspended, the same territories were granted to other parties for a much less sum, and on much less stringent conditions. I think my hon. friend from East Assiniboia (Mr. Dewdney) acquired a limit; I do not