LACOMBE GETS POST OFFICE

Thursday's Daily.

Mr. Puffer's bill to incorporate the Lacombe General hospital, which has been before the House for sometime, has passed all stages and is ready for the assent of the King's representative.

W. F. PUFFER, M.P.P.
For Lacombe.

The movement to establish a hospital in Lacombe was started by Mrs. William Burris, wife of ex-Mayor Burris, the postmaster in that town, who has been most tireless in his efforts. Chiefly through her work the funds to purchase a site and commence building operations have been collected by subscriptions, proceeds of bazaars and in various other ways.

A beautiful site of three acres has been secured on the high ground adjoining the west side of the town. No plans for the building have yet been prepared, but the directorate intend to erect a substantial building suited to the requirements, modern and up to date in every respect.

Too much cannot be said in praise of Mrs. Burris, who is truly the mother of this enterprise. She has been the leader and has been able to enlist the sympathies of others in behalf of the afflicted. No one will be turned away from the proposed hospital owing to his poverty, but those who are able will be expected to pay for board and attendance.

AS TO GRAZING LEASES

(Tuesday's Daily)

During the debate on the motion of Mr. Ames, of St. Antoine division of Montreal to condemn the government for the issue and disposal of the Brown lease Mr. Oliver spoke as follows:—

Hon. Frank Oliver (Minister of the Interior). The resolution before the House is divided into two parts, if I remember it correctly, the first condemning the action of the Department of the Interior, in the granting of the lease, and the other condemning, I presume, the grantees for having disposed of the lease. The one is an attack upon the department and the other an attack upon a member of this House. It is my concern, at the moment, to deal with the question as it relates to the department. I was very much interested in the presentation of the case made by the hon. member for Alberta (Mr. Herron) in which he depicted to the House the happy conditions in connection with the ranching business generally which prevailed in the Northwest under the administration of the late government. One would suppose from his telling of the story, that all the trouble began with the accession to power of a Grit government. That up to that time there had been a well defined, continuous and successful policy, and that that policy had no relation whatever to closed leases. Now, investigation of the matter in the department, as well as my knowledge of the facts from residence in the country runs something like this: The first regulations in regard to grazing leases were passed on December 29, 1881. And, in this connection let me just say that when hon. members on the other side complain, as they have frequently complained, of the tendency of this government to concentrate arbitrary power in the hands of the Minister of the Interior, the fact should not be overlooked that this order in council of 1881 to which I have referred constitutes the Dominion lands law. In those happy days they did not depend upon the mandate of parliament for control of the lands, but dealt with them by order in council. And one part of this order in council provides for the granting of closed leases for terms of twenty-one years, at a rental of one cent per acre per year, and, of course, with the privilege of purchasing any land within the lease at the going price of land, which is defined in the regulations as from $2 to $2.56 an acre. I ask hon members to take the trouble to follow the somewhat devious course of these regulations regarding grazing leases in the Northwest for the purpose of seeing the difficulties of dealing with the principal features of the land business of this country and of noting that the late government had the same difficulty in arriving at a definite and fixed conclusion as the present government has, or as any future government must have, so long as grazing lands are available as they are. These regulations of December 29, 1881, were so popular and so generally approved that we had by order in council of April 11, 1882, that some two and a half million acres had been applied for as grazing lands up to that time. The quantity of land that was going to be alienated for twenty-one years under this order in council of 1881, I imagine, rather staggered the government of the day, for they decided that it was not advisable to continue that policy. They framed regulations dated April 11, 1882, which provided that leases could be cancelled on two years' notice. In March, 1886, another change was made, and the rent was increased to two cents an acre. In April, 1887, it was decided to invite public competition in the issue of leases, with the exception of eight cases which are mentioned. I merely draw attention to the fact that there was exceptional consideration in those days, as there has been in these—I only hope that the reasons were as good in those days as they have been in these. In September, 1889, other regulations were issued providing that leases should be opened to homesteading or purchase unless otherwise provided in the lease. That is to say the government had the authority under these regulations to grant a closed lease or an open lease, as they might see fit.

Mr. A. C. Macdonell—Would the hon. minister please mention the year?

Mr. Oliver—This was in September, 1889. I can let the hon. member have the order in council if he would like to have it. Now, the ranching business had run on in a way that as my hon. friend from Alberta (Mr. Herron) mentioned today, was not altogether satisfactory. In October, 1892, notice was issued to all and sundry the lease holders in the country that on December 31, 1896, their leases would be finally cancelled, but preliminary to that they would be permitted to purchase ten per cent. of their lease holds, at $2 an acre. Incidently it was mentioned that this course was taken for the reason, among others, that the land that had already been given to the leaseholders was now required for railways under railway land grants. In February, 1893, an order was passed which repealed the previous clause providing for competition in regard to leases, and the reason given for it, is that there was no competition and the advantage gained did not compensate for the expense of advertising. In April, 1893, it was decided to reduce the price at which ten per cent. of the leaseholds might be purchased to $1.25 an acre. In September, 1903, by the present government, all regulations in regard to the granting of leases were suspended.

Now, in order that we may understand the reasons for the order in council of 15th February, 1905, I may explain that up to this point the grazing leases were granted without regard to the quality of the country which they covered. That is to say, they were granted irrespective of whether the land was only suitable for grazing or whether it was suitable for farming, and it was because leases had been granted without that discrimination that their issue had given rise to so much dissatisfaction, and it was consequently decided in 1903 to cease giving leases at all. By that time the ranching industry had grown to be very important, and while the abolition of the right to grant leaseholds gave satisfaction to a certain part of the community, it gave a great deal of dissatisfaction to men who were largely interested in raising cattle and who were thereby deprived of the opportunity of protecting themselves in carrying on that industry.

Shortly before the grazing regulations were suspended in 1903—these regulations which did not discriminate between good land and bad—the Brown application was made, and the McGregor and Hitchcock applications were made. These applications were based on the allegation that, as the land applied for was unfit for agricultural purposes, it was right and proper that they should be closed leases—that homesteading should not be permitted upon them. The government recognized the propriety of granting closed leases under such circumstances, provided the circumstances were thoroughly established. Several members who are familiar with the conditions in the west have spoken tonight, and I think I can include the hon. member for Alberta (Mr. Herron) in that number, who agree that wherever the conditions were such that the land was not suitable for agricultural purposes then it was right and proper that it should be granted under closed lease regulations for the grazing of cattle. It was on that principle and in that belief, and under those circumstances that an order in council was passed granting closed leases to H. P. Brown, J. M. McGregor and Arthur Hitchcock. But there had to be a good many preliminaries gone through before the department could be satisfied that there were not other claims to the land, and that the land was of the class mentioned, and before these preliminaries had been gone through the grazing regulations were suspended. There was then no authority to grant leases to these gentlemen, although the government had decided to grant them leases. Therefore in December, 1903, a special order in council was passed providing for the granting of closed leases to these gentlemen of the areas in question, on the ground that it was sound public policy to grant a closed lease for 21 years to men engaged in the cattle industry, providing it was established that the land was not suitable for agricultural purposes. That is a proposition that no man in this House or out of it will dissent from if he understands the subject or cares to understand it.

On February 15, 1905, regulations were made which adopted the principle of these special orders in council in favor of McGregor, Hitchcock and Brown. For the first time the principle was established that leases should only be granted upon land unfit for agricultural settlement, and that in such case the leases should be closed leases and should be for 21 years. With that principle, again, I say, no fault can be found. When these regulations were passed at once applications began to pour in for closed leases. When I came into the department I found the conditions exactly the same in 1905 as they were under the former government in 1892. They had provided for closed leases for 21 years and they were flooded with applications for two and a half million acres of land. As soon as the provisions for closed leases were passed in February, 1905, at once the department was flooded with applications for such leases, and I found it absolutely impossible to administer that regulation according to its intent. That is to say, we had so many applications and they covered so much of the country that we had no means of making a proper discrimination between the agricultural land and the land that was purely grazing. I found that we could not make that distinction. We could not be satisfied that the application which was made for a closed grazing lease was for land that was not fit for agricultural settlement. It seemed to me, coming face to face with the question as I did, that the only thing to do was to stop the regulations there and then, which I did, and to substitute regulations which would give a breathing space, as it were—would give time for the department to find out what part of the country was absolutely unfit for agriculture and what part of it was fit. Therefore I brought in the regulations providing for the cancellation of these leases on two years' notice. It was not because I objected to the principle of the closed lease, provided that the fact was established that the land was unfit for agricultural settlement, but it was because I found that it was impossible to carry out that principle with satisfaction to the people who were clamoring for the leases and with justice to the country which was entitled to the best results from the land. I found certain applications for these closed leases in the department. Some of them had been closed up and some had not. If it was demonstrated as satisfactorily as the department could expect that the land applied for was not fit for agricultural purposes, and if the government had become committed to granting the lease, it was granted even although it was at a date subsequent to the suspension of the regulations. This Brown lease was in that position. I found the lease there, it had been granted under a special order in council, and I had no authority to revoke the right that these gentlemen held. They had been granted that right by the authority of the government at large, by the authority of the Privy Council, and that right could only be revoked by the same authority. My suspension of the regulations, my suspension of action under the regulation, did not revoke the right that these gentlemen held. When the rent was paid in and the question was raised as to how the lease should be issued I gave the decision as the hon. member from St. Antoine, has read it to the House. It seemed to me that it was a fair proposition looked at from the administrative point of view. Action was taken accordingly, but when later on it was represented to me that these people had rights that were not subject to my individual order, when it was pointed out to me that the rights originally granted had passed into the hands of second parties, when it was plainly evident that the intention of the government was that this lease should be granted, when it was demonstrated that it was proper it should be granted because of its character, and when it was evident that it was being granted to people of standing, character and ability to use it, it seemed to me, that, although I might have appealed to council and asked for a revocation of the order for the lease, I would have been going some what out of the ordinary line of my duty if I had done so. It is only acting according to the ordinary principles upon which the Department of the Interior or I fancy any other public department is administered, to give the individual who is dealing with the government every consideration with respect to rights that he has acquired.

In regard to the payment of the back rent, all I can say is that these gentlemen had the right under the order in council, but they did not hold, nor were they under the terms of any lease. They were not in such a position that we could compel them to pay us that back rent, except by the cancellation of the right which they held, by revocation of the order in council. At the same time these people had, in their own persons, never received any use of the land. They had derived no advantage from it. In so far as I am aware there was no other counter applicant who was deprived of the use of the land, and it seemed to me that under all the circumstances it was not unfair to give them the consideration that was given. Now it may be that an error was committed. I cannot answer for every act of the department in all parts of its administration, but I do say that it is better in administering a public department to err on the side of fair consideration to individuals than it is to err on the side of exercising the dominant authority of the government to deprive an individual citizen of an equitable right. That is a principle which is accepted fully in the Department of the Interior, and is acted upon every day in regard to homestead rights and in regard to every other right. I would suggest to my hon. friends who have been so very careful about the interest of the government in this particular case, involving a matter, they say, of some $1,200 to $2,000, that the line of policy which they advocate here today whereby they stand to exact the last cent from the man who happens to be dealing with the government was the line of policy carried out by their friends when they were in office, that stagnated the Northwest country and stagnated this Dominion of Canada for so many years. It was because of that idea that hon. gentlemen advocated here last session, that there should be an automatic cancellation of homesteads, and that every man should be compelled to live up to the letter of the law.

I say that when these hon gentlemen insist upon the letter of the law and upon the last cent, when they decline to consider any of the circumstances surrounding any case that comes before them, they take a position which renders a satisfactory or successful administration of the Department of the Interior absolutely and utterly impossible; and the proof of that is that in the years when that system was in vogue in the Department of the Interior its administration was a total failure, and instead of the country having lost a matter of $1,200 to $2,000 if you will, because of leniency in carrying on business with the public, this country lost hundreds of thousands of people and millions and millions of money because of that policy.

In regard to the second part of the resolution, I do not know that it is any part of my business particularly to discuss it, and may I suggest to the House that I do not think it is any part of the business of this House to discuss such a motion. I think the hon. gentleman who proposed that resolution, who suggested that it was a part of the duty of this House to review the private business of private individuals, or even of public men, has placed a very serious responsibility upon the House a responsibility which nobody repudiated so strongly only six or seven hours ago as three or four prominent members of the opposition. If it is a proper matter for discussion in this House what disposition Mr. Adamson made of certain property of which he was placed in possession by the Department of the Interior, then I say it is part of the business of this House to follow the private business of every member of it as far as they like to follow it. I do not believe in that kind of politics; I do not believe in that kind of parliamentary discussion. Whatever in this case appertains to the action of the Department of the Interior is a legitimate, and more than a legitimate subject for discussion, and if the Department of the Interior cannot stand criticism on that point, then certainly it should not be in its present hands. But if we go further and discuss how this or that or the other man was disposed of that which it was his right to dispose of, we are treading on very very dangerous ground. All we ask is fair play in this matter, and to-day our friends on the other side were crying for fair play. During this session and for the greater part of last session, the alleged scandals charged against the Interior Department have not been against the Department but against private individuals in their private business, or against public men in their private capacity, to a very large extent. The country has become used to that style of argument; the country has come to believe that such is proper parliamentary discussion. They have endeavoured to create in the public mind the idea that if there has been a transaction of any kind in any part of the resources of corruption, that is improper administration. The gentlemen opposite have created that idea in the public mind. It is a false idea, it is an improper idea, and if they are judged by that idea which they themselves have created, that is their fault and not ours.

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Opposition Is Troubled in Spirit

AND WHINES A SINGULAR WHINE

Because the Insurance Commission has Has Shown Itself to be Solely a Judicial Commission Free From any Political Interference.

Special to the Bulletin.

Ottawa, Mar. 1—Mr. Haughton Lennox of the South Riding of Simcoe, arose today with troubled spirit and voiced a plaint from the Opposition regarding the Insurance Commission, or at least the lack of relationship between the Insurance Commission and the Department of Justice.

The Disappointed Opposition.

Several days ago Mr. Foster was informed by the Minister of Justice that there had been no written communication between the department and the investigating council or the commissioners since he accepted office. This information was a grievous disappointment to some of the honourable gentlemen directly concerned and who apparently entertained the hope that they could parade afore the country as men persecuted by a political opponent.

Grieving Because They Were Not Abused.

The soreness of spirit of Mr. Lennox bore a remarkable similarity to that displayed by Mr. Foster on the previous occasion, and made certain, whatever may have been lacking in the general impression, that it was signally disappointing to the Opposition to find that the Minister of Justice had not been a directing and controlling force behind the Insurance Commission during its investigations.

No Suggestions Given.

Mr. Aylesworth in reply gave Mr. Lennox some information in addition to that furnished Mr. Foster a fortnight since when he had informed the ex-minister of finance that all communication between himself and the commission had been by word of mouth. He now informed Mr. Lennox that none of these communications had partaken of the nature of direction or suggestion as to the matters which the Insurance Commission should investigate, as to the witnesses who should be examined, or as to what lines of enquiry should be taken up.

Thought Minister Should Have Suggested.

Mr. E. Gus. Porter of Hastings, followed Mr. Aylesworth and took the somewhat peculiar position that if the minister of justice had not directed and suggested to the Insurance Commission the course they should pursue then the minister had been guilty of negligence of his duty. He carried the argument one step further toward the ridiculous by saying that possibly for this reason the commission had not been conducted solely for the purpose which was considered in its appointment.

None of the Minister's Business.

The premier followed Mr. Porter and took the ground that the minister of justice, would have had and could have had no business to interfere with the commission by way of suggesting to them what course of enquiry they should pursue or what subjects it would be advisable for them to investigate. The commission having been appointed by the governor-in-council and received their instructions by order-in-council. When those instructions were received the commissioners were not free to accept instructions, suggestions, or dictation from anybody, and it would have been an infringement on the proper independence of that commission for the minister to have offered them suggestions as to what course they should follow.

Supposing the Minister Had Suggested!

And supposing the minister of justice had presumed to do what the Opposition gentlemen now blamed him for doing! The outcry which they would then have raised would have been much louder than the one they now raised. At present they complained because the minister of justice had not directed the Insurance Commission. But if the minister of justice had been found to have done that which they now claim he should have done their wailing would have been that they were being persecuted by a political commission rather than examined by a judicial commission.

Mr. Foster closed the somewhat singular programme. In the first place, he said that he absolutely agreed with the premier that the minister of justice should not have instructed the commission; and in the second place, that he agreed too with Mr. Porter's contention that it was the business of the minister to instruct the commission. Thirdly, he spent twenty minutes in a dexterious attempt to distort language to prove that the minister had instructed the commission. His dexterity made three things plain: First, that the report of the commission was singularly displeasing to Mr. Foster; second, that it was quite as singularly displeasing to him to find that the commission had been an absolutely free and independent, and third, that he was prepared to resort to any species of misconstruction to cast a doubt upon the freedom and independence of that tribunal.

Men are at work taking out the ice from the manufacturers' building on Victoria park, Calgary, which will be used in connection with the sale and show next month.

The Presbytery of Red Deer is opening a mission field in the Fallen Timber district and sending an extra man into the country north of Three Hills.

The Natural Gas company, at Calgary, which has been drilling for gas near the city, has reached a depth of 105 feet, and expects to go to a depth of 3,000 feet. In boring for oil at Medicine Hat the Canadian Pacific Railway company struck gas at a depth of 1,000 feet.

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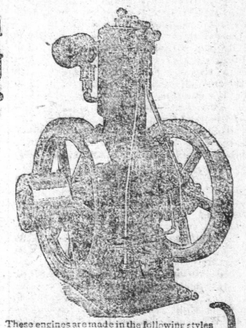

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