

a remedy for that difficulty. Take the case of mining companies; there are two points to be considered. First, these mining companies are incorporated, not under the laws of Canada, but according to the laws of the adjoining states of the United States. Being incorporated there they offer no such guarantee as is offered by companies incorporated under the laws of this country, and therefore it is said if those companies are incorporated in the United States, the reason for their incorporation there is that our laws are not intended to meet such cases and would not permit certain transactions to be carried out as may be carried out under the laws of the adjoining states. Under the incorporation laws of the United States, you may issue a certain amount of stock, and that stock may be sold at 10 cents on the dollar. That cannot be done here, where, when such stock is issued, a shareholder is liable for the full amount of the stock. We should amend our laws to meet exigencies of that sort. We should inquire into the condition of the United States laws which have been framed and subsequently developed by experience acquired among the people there. We ought to take the laws of the United States in their present condition and examine them, and see how far we could incorporate their provisions into our own statutes. But we are met with this difficulty, as to how far this Parliament can deal with questions that affect property and civil rights, which are under provincial jurisdiction. That is a difficulty which I refer to, but which I do not now discuss. Again, there is another difficulty. These companies are issuing prospectuses which contain false statements of facts, such as that certain gentlemen occupying prominent positions and whose names are a guarantee of responsibility are connected with the companies, when in reality they have no connection with them. There is a difficulty here. Those prospectuses are issued broadcast throughout Canada; they are issued here and go to Quebec and beyond the Atlantic to London. The investor reads them. He looks at the prospectus, and sees the names of our public men connected with these enterprises. This is an inducement for investors to invest their money in these enterprises. It is true, as the ex-Minister of Militia (Mr. Tisdale), has stated, that our criminal code would meet such a case. I am strongly of the opinion, without stating anything definite, that there is doubt about that point. The border line between false representation, involving false inducement to enter into a bargain of this sort, and a warranty is very shadowy and very hard to define; and therefore I say it is very doubtful if the criminal code would reach such a case. Suppose it did reach it after considerable difficulty, does this House not think that it would be rather a precarious remedy in the hands of an

Mr. FITZPATRICK.

investor to which he might have recourse, for example, an investor in England, to endeavour to remedy an evil of that sort. It seems to me we should provide a remedy. To put the matter in a nutshell: In the first place, it is important to know how far this House might introduce legislation affecting the incorporation of these companies and so meet the conditions existing in the mining country of British Columbia, which do not exist in the case of ordinary commercial enterprises; in the second place, supposing that to be beyond our power to deal with, if it is a matter for the province of British Columbia to deal with, and if the province does not act, should there not be general legislation introduced here into our criminal code such as would enable us to deal with this class of cases. These are points to be dealt with as regards legislation, and as they have been brought up they may be considered; and no doubt between this and the next session the people of British Columbia, who are primarily interested and who could easily remedy the evil, because there can be no doubt as to their right to legislate in regard to it, might amend their local laws; and if they did not act in that direction, then it might be possible for this Dominion Parliament to take action.

Mr. DYMENT. I merely rise to say that I thoroughly concur in all that has been said by the hon. member for Yale and Cariboo (Mr. Bostock), and if I might presume to give the Minister of Agriculture some information, I would inform him that if he decides to gather these facts that will be of value to the people of this country, he can obtain as valuable information in the district of Algoma as in any part of the Dominion. I desire to enter my protest very strongly against the tendency that has been shown by hon. members who have debated this question to look to British Columbia and pass over Ontario, and that portion of the district which I have the honour to represent, the Seine River and Rainy River districts which do not take a back seat even to British Columbia in regard to mineral wealth. We have a grand country there, and I think the time is opportune to make an investigation and gather all the information possible, and distribute it throughout the country.

Mr. CASEY. I think the hon. member for Yale and Cariboo (Mr. Bostock), and also the hon. member for Algoma (Mr. Dymont), have done good service in bringing this matter before the attention of the House. The hon. Solicitor General has made some very thoughtful remarks in regard to amendments of the law; but possibly, pending the amendments of the law, the best way to protect a man against being cheated is the publication of all possible information. In Ontario we have a Bureau of Mines, especially charged with the duty as regards mining, and which gives very valuable information res-