DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

1915

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FIFTH SESSION—TWELFTH PARLIAMENT.

OTTAWA
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1915

SENATORS OF CANADA

ALPHABETICAL LIST

1915

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS
The Honourable		
BAIRD, G. T	Victoria	Perth, N.B.
BÉIQUE, F. L.	De Salaberry	Montreal, Que.
BEITH, R.	Bowmanville	Bowmanville, Ont.
BELCOURT, N. A., P.C.	Ottawa	Ottawa, Ont.
BOLDUC, J.	Lauzon	St. Victor de Tring, Que.
BOSTOCK, H.	Kamloops	Monte Creek, B.C.
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DAVIS, T. O.	Prince Albert	Prince Albert, Sask.
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DERBYSHIRE, D.	Brockville	Brockville, Ont.
DESSAULLES, G. C.	Rougemont	St. Hyacinthe, Que.
DE VEBER, L. G.	Lethbridge	Lethbridge, Alberta.
DOMVILLE, J., Lt.-Col.	Rothesay	Rothesay, N.B.
DONNELLY, JAMES J.	South Bruce	Pinkerton, Ont.
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FORGET, A. E.	Banff	Banff, Alberta.
FROST, F. T.	Leeds and Grenville	Smith's Falls, Ont.
GILLMOR, D	St. George	St. George, N.B.
GIROUR, E. L.	Antigonish	Antigonish, N.S.
GODBOUT, J.	La Salle	Beauceville West, Que.
GORDON, G.	Nipissing	North Bay, Ont.
JONES, SIR LYMAN MELVIN, KT.	Toronto	Toronto, Ont.
KERR, J. K., P.C.	Toronto	Toronto, Ont.
KING, G. G.	Queen's	Chipman, N.B.
LANDRY, P. (Speaker)	Stadacona	Candiac, Quebec, P.Q.
LA RIVIÉRE, A. A. C.	Provencher	St. Boniface, Man.
LAVERGNE, L.	Kennebec	Arthabaska, Que.
LEGRIS, J. H.	Repentigny	Louiseville, Que.
LOUGHEED, J. A., P.C.	Calgary	Calgary, Alberta.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
MACKAY, K	Alma	Montreal, Que.
MACKEEN, D	Cape Breton	Halifax, N.S.
MASON, JAMES, Col	Toronto	Toronto, Ont.
MCCALL, ALEXANDER	Simcoe	Simcoe, Ont.
MCDONALD, W	Cape Breton	Glace Bay, N.S.
MCHUGH, G	Victoria, O.	Lindsay, Ont.
MCKAY, W	Cape Breton	Reserve Mines, N.S.
MCLAREN, P	Perth	Perth, Ont.
MCSWEENEY, P	Northumberland	Monct n, N.B.
MITCHELL, W	Wellington	Drummondville, Que.
MONTPLAISIR, H	Shawenegan	Three Rivers, Que.
MURPHY, P. C	Tignish	Tignish, P.E.I.
OWENS, W	Inkerman	Montreal, Que.
POIRIER, P	Acadie	Shediac, N.B.
POPE, R. H	Bedford	Cookshire, Que.
POWER, L. G., P.C	Halifax	Halifax, N.S.
PRINCE, B	Saskatchewan	Battleford, Sask.
PROWSE, B. C	Charlottetown	Charlottetown, P.E.I.
RATZ, V	North Middlesex	New Hamburg, Ont.
RILEY, G	Victoria, B.C.	Victoria, B.C.
ROCHE, W	Halifax	Halifax, N.S.
ROSS, J. H	Regina	Moosejaw, Saskatchewan
ROSS, W. B	Middleton	Middleton, N.S.
SHEHYN, J	Laurentides	Quebec, Que.
SMITH, ERNEST DISRAELI	Wentworth	Winona, Ont.
TALBOT, P	Lacombe	Lacombe, Alberta.
TAYLOR, G	Leeds	Gananoque, Ont.
TESSIER, JULES	De la Durantaye	Quebec, Que.
THIBAUDEAU, A. A	De la Vallière	Montreal, Que.
THOMPSON, F. P	Fredericton	Fredericton, N.B.
THORNE, W. H	St. John	St. John, N.B.
WATSON, R	Portage la Prairie	Portage la Prairie, Man.
WILSON, J. M	Sorel	Montreal, Que.
YEO, J	East Prince	Port Hill, P.E.I.
YOUNG, F. M	Killarney	Killarney, Man.

THE

SENATE DEBATES

FIFTH SESSION—TWELFTH PARLIAMENT.

THE SENATE.

Ottawa, Thursday, February 4, 1915.

The SPEAKER took the Chair at Two-thirty p.m.

Prayers.

The Senate was adjourned during pleasure.

SPEECH FROM THE THRONE.

His Royal Highness the Governor General being seated on the Throne.

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint the House that,—

It is His Royal Highness the Governor General's pleasure that they attend him immediately in the Senate.

Who being come, with their Speaker,

His Royal Highness the Governor General was then pleased to open the Session by a gracious Speech to both Houses:—

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

During the months which have elapsed since the outbreak of war, the people of Canada have given most abundant and convincing evidence of their firm loyalty to our Sovereign and of their profound devotion to the institutions of the British Empire.

Since I last addressed you, a Canadian Expeditionary Force of more than thirty thousand men has been safely despatched across the Atlantic, and after arriving in the British Islands has been engaged in completing the necessary training before proceeding to the front. Notwithstanding the unusually severe weather conditions which have prevailed in the British Islands, the training has proceeded satisfactorily and it is anticipated that the force will very shortly take its place in the field of action.

The earnest and resolute spirit of patriotism which animates the whole Dominion has evoked a magnificent response to the call for service beyond the seas. Large additional forces have been organized from which further contingents are ready to be despatched as soon as the necessary arrangements for receiving them and completing their training can be consummated.

Notwithstanding the inevitable disturbance of trade which was created by the outbreak of war on so vast a scale, the financial and business conditions of the Dominion have shown great stability, and on the whole the country has adapted itself to the new conditions in a very effective way.

My advisers will submit for your consideration measures rendered necessary by the participation of this Dominion in the great task which our Empire has undertaken in this war.

Gentlemen of the House of Commons:

The accounts for the last fiscal year will be laid before you immediately and the estimates for the net fiscal year will be submitted without delay. You will be asked to make the necessary financial provision for effective aid in the conduct of the war.

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

The strong unity of purpose which inspires His Majesty's Dominions gives us the firm assurance that the cause for which this war has been undertaken will be maintained to an honourable and successful issue. I commend to your favourable consideration the measures which will be submitted to you for aiding that great purpose, and I pray that the Divine blessing may be vouchsafed to your deliberations.

His Royal Highness the Governor General being pleased to retire, the House of Commons withdrew.

After some time the Senate was resumed.

BILL INTRODUCED.

Bill ( ) An Act relating to Railways.

The Senate adjourned till Tuesday next at three p.m.

REVISED EDITION

THE SENATE.

Ottawa, Tuesday, February 9, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE ADDRESS.

MOTION.

The Order of the Day being called.

Consideration of His Royal Highness the Governor General's speech on the opening of the fifth session of the twelfth Parliament.

Hon. Mr. MURPHY—In rising to perform a time-honoured task I must thank the hon. leader of this House on behalf of myself and the province from which I have come for the honour he has conferred upon us by his designation on the present occasion. That honour is all the more accentuated by the fact that we are passing through conditions which will make indelible pages on the world's history, and will have a potent effect on the future divisions and development of the human race. The position in which I find myself then, being at a period of such historic importance, I naturally approach it with a certain amount of diffidence that I know will be a passport to the indulgence of my honourable colleagues during the short time I shall occupy their attention. The speech of His Royal Highness our Governor General delivered to us in common with our fellow legislators of the House of Commons, must have a solacing effect in its note of optimism. It gives us the gratifying knowledge that Canada is fulfilling its duty in the troublous times through which we are passing. The mention of our Governor General reminds us of the fact that His Royal Highness, with his dutiful consort, came to us as connecting links in our chain of imperialism, as the visible token to the premier colony that Britain's Empire had entered a new era. Voicing the sentiments of the Senate of Canada then, I beg respectfully to bear testimony not only to the manifest loyalty which goes out to His Royal Highness as the representative of our beloved King, but to assure their Royal Highnesses the Duke and Duchess of the heartfelt thanks of a grateful people for the many evidences given us of their love and devotion to Canada. Especially does the thanks of our young nation go out to them for their decision to remain at our head under present conditions or until the dove of peace again alights on our fair land. We are not unmindful of the fact either that the Royal Princess has from the beginning stimulated recruiting by allowing a regiment to be named after her, and with her own hands presented them with their colours. The despatch of the large expeditionary force which has already gone forward, the largest to ever cross the ocean, and the clockwork precision of its mobilization and embarkation reflect the highest credit on our Militia Department and Government, and are a source of pardonable pride to all Canadians. The subsequent recruiting, and the readiness of a second contingent to embark after three months' training, with the third in preparation, is an object lesson to the world of Canada's national status.

The assurance that our soldiers in training or at the front are giving a good account of themselves, often under the trying circumstances of a most severe winter, and the information we have of the splendid work of the Princess Patricia's Own, who had their first baptism in the trenches of France, make every breast swell with patriotic pride. The fervour which permeates every corner of this great Dominion, and the intense feeling which it imparts, has been shown in the rush to the recruiting centres, and must be a source of satisfaction to everybody. While comparisons are perhaps invidious, and at the present time may be uncalled for, I cannot refrain from pointing out on this occasion that the heroic little province I have the honour to represent has, in proportion to its population, the largest number of Canadian citizens on the enlistment rolls. There is a sense of satisfaction, too, that this same spirit and courage pervade every class and creed, and are impelling our people to further and further sacrifices until the desired goal is reached, the emancipation of our civilization secured, and our empire emerges triumphant with the flag that has braved a thousand years flying as of yore. We are reminded, too, that not only sacrifices of brain, and blood and brawn are essential in a crisis of this kind, but what is known as the sinews of war—the money to prosecute and properly equip and maintain our army in the field, with all that this entails, is also a prime requisite. In this connection, notwithstanding the dislocation incidental to war, we are glad to know that Canada's trade is still buoyant and her financial institutions are on a stable basis, perhaps unparalleled by any other

country outside the motherland. We might here observe, too, that on the strength of Britain's standing, which, after all, is the best index to her ability for prosecuting war, she is practically the banker of the neutral world, as she has been in modern times the clearing house of the financial world. That our security under the present circumstances is altogether due to the supremacy of Britain's navy, no one will deny. If our trade is not demoralized and our trade routes untenable, entailing financial panic and its consequent disaster to our populace, we have the fostering care of Britain to thank. It is not only Canada that should be grateful under those conditions, but the neutral countries of the world owe a debt of gratitude to the statesmen who anticipated the day when a military mad despot and his entourage would attempt to overrun the world. We can take consolation, too, from the fact that Canada in recent years has earned the sobriquet of 'Granary of the Empire,' and in this way is an added strength to the mother country in her hour of trial. That Britain can depend upon the ploughs on Canada's farms, gives to her that air of stability so necessary under the circumstances.

We hardly needed the gracious speech before us to bring home to us the necessities of the occasion, and the desire of all humane people that this disastrous war, with its awful human carnage, should have every effort made to stop its devastating effects.

When last we met within these walls we were just on its threshold, and in our wildest flights of imagination we could not then picture the sudden devolution of our twentieth century culture (save the mark!); we could not dream of the unbridled license which has characterized our enemies in their march through Belgium, with its mutilation of children, its outraging of women, its looting of Louvain and its sister cities, the ruthless destruction of ancient cathedrals and the priceless treasures of art, science and literature, which had passed unscathed through the wars of centuries, prosecuted by countries which, in our self sufficiency, we would then have been pleased to sneer at as barbarous when compared with these modern Huns. Justice and right are natural conditions precedent to embarking in such a terrible national conflict as we have undertaken at the present time. When in August last we convened in an extraordinary session, the official documents of His Majesty's Government were laid before us, and they left no doubt in our minds as to the strenuous efforts made by Sir Edward Grey and the British Government in the use of every art known to diplomacy to avert war. These official papers of our Empire have since been reinforced by the official documents of Russia and France, nay, more, they are negatively supported by the suppressed or non-published official communications with passed between Berlin and Vienna during these trying times. There is, therefore, no doubt as to the righteousness of our cause left in the minds of the unprejudiced, and peace-loving people though we are, our sons, our mothers and our daughters are prepared for a supreme sacrifice. We thank God as we gaze in retrospect over the past six months, that Canada has been a unit in response to duty's call, and we are pouring out our blood and treasure to an unprecedented degree that civilization in its proper sense may not perish from the earth, and that the nefarious dictum—'Might is Right' shall not prevail. Our sons march to the strains of 'Tipperary' side by side with the sons of the composite and solidified British Empire, from every corner of the habitable globe to help eradicate the false morality and ethics of a Nietzsche or Bernhardi. They charge the trenches and man the firing line too, to assure the world of the future that such monstrous doctrines be still-born. In this noble work it is gratifying to have the active co-operation of a nation which is the parent land of many of our best citizens, whose ancestors first trod the banks of the St. Lawrence; men like Lallemant and Breboeuf who gave their noble lives that savagery might not longer hold sway in the countries drained by its mighty waters. Every catastrophe, however, has its compensations, and as a result of this awful conflict we have the fruitful lesson of the intensity of feeling for the motherland, which makes her sons rush to the colours from every corner of the Empire on which the sun never sets. A splendid object lesson in this respect is the action of the Premier of South Africa in the present crisis, and demonstrates the colonizing power of Britain, which in a few short years makes the strongest friends out of the bitterest enemies. We note, too, a pacified Ireland, the home of my forefathers, after a struggle of seven centuries and we can even now gaze in prospectu on the restored Parliament Halls on College Green,

and we can see Orangemen and Roman Catholics fighting shoulder to shoulder in frost-bound Flanders to-day. Suffering Poland, too, is coming into its own, and we look for the effacement from Europe of the unspeakable Turk, and the relief of the persecuted Christians of Central and Southern Europe through the good offices of our mighty Russian ally. We have entered into this war, sorely against our will, to maintain the honour of Britain and to protect the weak against the strong; to prove to the world and future generations that the scrap of paper with Britain's name and the seal of Britain's Empire is always at par, and to demonstrate to the German autocrat and the Germany military cult the falsity of their assumption that God is always on the side of the heaviest battallions, when authenticated tablets stand at the lodge gates of every epoch of the world's history, both sacred and profane, to prove the contrary.

We join in the spirit as well as the letter of the speech from the Throne in our feeling and determination to make every sacrifice until this modern Attila is disposed of, and we can stand out as a regenerated world freed from his influence and see his military despotism made powerless for evil. Our last man will go on the firing line and on the ships and our last dollar in the melting pot in the interest of true civilization and to avenge poor, bleeding, suffering Belgium and rehabilitate her as far as lies in our power. We regard ourselves and the opportunity for the performance of this duty as instruments in the hands of the Creator, for after all "Vengeance is mine, saith the Lord."

I thank you my honourable colleagues for the kind attention you have given me and I beg to move, seconded by the hon. member from Antigonish (Hon. Mr. Girroir):

That the following Address be presented to His Royal Highness the Governor General, to oner the humble thanks of this house to His Royal Highness for the gracious speech which he has been pleased to make to both Houses of parliament; namely:—

To Field Marshal, His Royal Highness Prince Arthur William Patrick Albert, Duke of Connaught and of Strathearn, Earl of Sussex in the Peerage of the United Kingdom, Prince of the United Kingdom of Great Britain and Ireland, Duke of Saxony; Prince of Saxe-Coburg and Gotha; Knight of the Most Noble Order of the Garter; Knight of the Most Ancient and Noble Order of the Thistle; Knight of the Most Illustrious Order of St. Patrick; one of His Majesty's Most Honourable Privy Council; Great Master of the Most Honourable Order of the Bath; Knight Grand Commander of the Most Exalted Order of the Star of India; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Knight Grand Commander of the Most Eminent Order of the Indian Empire; Knight Grand Cross of the Royal Victorian Order; His Majesty's Pesonal Aide-de-Camp; Governor General and Commander-in-Chief of the Dominion of Canada.

May it please Your Royal Highness:

We, His Majesty's most dutiful and loyal subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to your Royal Highness for the gracious speech Your Royal Highness has addressed to both Houses of Parliament.

Hon. Mr. GIRROIR (in French)—Je dois d'abord complimenter le proposeur de cette adresse, l'honorable sénateur de Tignish sur le discours habile et éloquent qu'il vient de prononcer. C'est un fait remarquable que de voir deux anciens ennemis, alliés aujourd'hui et luttant la main dans la main pour une cause qui intéresse la liberté des nations et le triomphe de la justice dans le monde entier. Jamais encore, dans tous les grands conflits que le monde a vus on s'est trouvé en présence d'intérêts si gros de conséquences; jamais encore ne fut si grand le sentiment d'une victoire certaine. Dans leurs gloires particulières, l'Angleterre et la France ont fait plus pour la civilisation que tout le reste de l'univers, et pouvons-nous nous étonner quand des traités solennels sont déchirés, des lieux sacrés violés et quand l'envahisseur barbare efface d'un seul coup les merveilles de l'industrie et les résultats de siècles de travail, pouvons-nous nous étonner, dis-je, d'entendre l'appel aux armes retentir dans tous les pays où se déploient les plis de l'Union Jack ou le tricolore de la France. Pour ceux d'entre nous qui ont dans les veines un peu du sang de la vieille France il est doux de savoir que nous pouvons nous réjouir des victoires de nos ancêtres sans diminuer un seul instant notre loyauté et notre attachement à la Grande-Bretagne et à l'empire britannique auquel nous appartenons et dont nous sommes si justement fiers. Le Canadien français a versé son sang sur maints champs de bataille pour la cause de l'empire, et personne ne saurait douter qu'il se battra aussi bien sur les champs de bataille de l'Europe qu'il l'a fait à Châteauguay ou sur le veldt du Sud-Africain. Nous espérons, que dis-je, nous croyons fermement que, parmi les braves jeunes Canadiens français qui se pressent sous la bannière de leur pays, il surgira un autre de Salaberry, et que, sous sa direction, ils repousseront vigoureusement les ennemis

du plus grand empire que le monde ait jamais vu.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. GIRROIR (in English)—I must first congratulate the mover of this address, the hon. member for Tignish, upon the able and eloquent speech which he has just delivered. It is a remarkable fact that two ancient enemies are to-day engaged as allies fighting shoulder to shoulder in a cause which involves the liberty of the nations and the triumph of justice throughout the entire world. Never before in any conflict that the world has seen were the issues so great. Never before was there a greater certainty of victory. England and France have in their day done more for civilization than all the world besides, and need we wonder when solemn covenants are broken, hallowed places desecrated, and the ruthless invader would efface at one fell stroke in the fields of industry and learning, the results of centuries of toil and care, that the call to arms resounds in every spot where waves the Union Jack of England and the tricolour of France. To those of us in whose veins flow the blood of old France it is comforting to know that we can glory in the victories of the land of our ancestors without for one moment lessening our loyalty to the great British Empire to which we belong and of which we are all so proud. The French Canadian shed his blood for this empire on many a well-fought field, and none need doubt but that he will fight as bravely for her on the battlefields of Europe as he did at Chateauguay and on the veldt of South Africa. We hope, yes, we believe, that among the brave French Canadian youths who flock beneath the banner of their country another De Salaberry will arise, under whose leadership they will hurl back the enemies of the greatest empire the world has ever seen.

We have been wont to speak with pride of this great empire of the wonderful extent of her territory on which the sun never sets, and of the mighty deeds of her soldiers and sailors who have won and colonized and civilized the world over, of her splendid institutions, her parliament, the oldest of parliaments, of her courts, her great institutions of learning and her great financial institutions. The world has seen great empires rise and fall but none so great as she. The student of history almost stood aghast at her gates that she yet lived on. The summit they thought had long since been reached, and she could not go forward she must go back. Within the last few years signs were not wanting to bear them out in this. There was the rebellion in South Africa, unrest in India; ah! India, it was there they said it would begin. Hindus, lawful subjects of the Empire were clamouring for entrance into Canada and it was denied them. Ireland in the very heart of the Empire was armed to the teeth. Orangemen and Nationalists were at each others throats, defiance was hurled at government and the decrees of the mother of parliaments were flouted. Surely they said the end has come. She had no great central government control of all these lands which fly her flag. Each has its own distinct system of government, each an empire within itself has its parliament, its courts and its armies, all that is necessary for nationhood. They have grown strong and virile, they will break away and set up for themselves. And scarcely had they thought thus when Germany and Austria challenged her right as the world power to insist on the observance of solemn treaties to demand that the law of right rather than that of might should govern the nations. And in an instant she arises greater by far and nobler than ever before. Nationalists and Orangemen, Hindu and South African, Canadian, New Zealander and Australian and from the four corners of the earth they hear her call and arise as one man to conquer or to die.

The Australian and New Zealander are fighting her battles in the shadow of the pyramids, the Hindu shouts her battle-cry on the hills of sunny France, and the German line bends under the charge of the Patricias.

In Nova Scotia in the counties of Pictou, Antigonish, Inverness, Cape Breton and Victoria we can raise ten thousand brave Scotch Higlanders, as brave as Wallace and Bruce. In Antigonish, Guysborough, Richmond, Inverness, Digby, and Yarmouth, there are 40,000 French Acadians as loyal and true to the Empire as one born in London could be. They cherish their language and their customs, as people of spirit should, and would as willingly lay down their lives for the Empire on the Nile as on the shores of Halifax.

It is a fact worth mentioning that the first death among the Canadian soldiers who volunteered for the front was that of a French Acadian named Gallant. He died at Valcartier, not as he would have wished on the battlefield, but just as truly for the Empire. We know he has not died in vain. England has won the love and affection and

loyalty of the French Arcadian as she won the loyal support of the princes of India and the Boers of South Africa. This is the great secret of the success of English rule that it gives to each and all the privilege and right to conserve their language, their religion and their customs. Britain stands for right and liberty and justice and freedom. For liberty and freedom to all and justice to the weak as well as to the strong. She has of course made mistakes but in the end right and justice have triumphed. You will say that I am an Imperialist. If I am, it is because my country is an Empire. The war has been forced upon us. It is our war because we are of the Empire and because our privileges, our liberties, and our safety depend upon the issue. Canada has given of her treasure but she has given her greatest gift in the flower of her manhood. Thirty thousand have gone, thirty thousand more will go and there will be neither stop nor halt nor looking back until victory crowns our arms and a lasting peace is assured. It has been said that whenever great crises arise in the history of the Empire she has never wanted great men to preside over her councils or guide her host to victory. The names of Asquith, of Grey, of Kitchener and of French will for ever illumine the pages of her history, while the patriotism and loyalty of our people will raise Canada to the highest place among the nations. The soldiers of Canada and the Empire will now as in the past uphold the best traditions of the British army defending the weak against the strong, driving back the foes of their country and planting upon a thousand heights that old flag which has braved a thousand years the battle and the breeze. And we must not forget while we glory in the deeds of the soldiers and sailors of this Empire that Frenchman, and Belgian, and Russian, and Serb, and Japanese have joined hands with us in this struggle with a bravery and devotion that is the admiration of the entire world.

I have much pleasure in seconding the motion of the hon. senator for Tignish.

Hon. Mr. BOSTOCK—Allow me to congratulate the hon. senator from Tignish (Hon. Mr. Murphy) on the interesting speech which he has made, and further to congratulate the little province from which he comes on the record that they have established in the enlisting of men to take their part in the front for the defence of the Empire. We only wish that his province was larger than it is at the present time.

I also wish to congratulate the hon. senator from Antigonish (Hon. Mr. Girroir) on the eloquent address which he has made, and to join with him in his admiration of the soldiers and sailors who are to-day defending the rights of this country on the battlefields of Europe. My hon. friend from Tignish referred to the happy event that at the present time we have as Governor General of this country His Royal Highness the Duke of Connaught, a man who has had as much, if not more, experience in military matters than most men throughout the British Empire, and which is of very great benefit to us to-day. We realize the addition to Canada, and the distinction that we have received from His Royal Highness being here to-day as our Governor General, and his having had extended the term of his governorship here. We also recognize and appreciate the great interest that has been taken by Her Royal Highness in the troops, and in the questions that affect the country at the present time. We join in our admiration of the work that they have done, and the interest they have shown in the country. Before taking up the question of the speech from the Throne I would desire to say a few words on the question of the representation of the Government in this House. During the recess we have seen changes made in the Cabinet; and although we do not want to make any reflections on appointments to the Cabinet that have been made, out of consideration for this House and also for the esteem and respect that we hold for our hon. friend, the leader of the Government in this House, we should all have been very much pleased if the Government had seen their way to give him, as we most sincerely think he deserves, recognition by giving him a portfolio in the Government.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOSTOCK—This is now the fifth session of this Parliament, and after the long years of service that my hon. friend has given to his country and the discretion and ability with which he has handled the Government business in this House, I think that he has not been fairly treated in the way that he has been overlooked in the matter of this portfolio.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOSTOCK—I hope that this will be remedied, and that we may be able to congratulate him on his designation to a portfolio in the near future. In

August last we were unexpectedly called together on account of the sudden declaration of war throughout the Empire. At that time a great many thought that this war would be over within a short time, and that the session for which we were then called together, and the measures that we had then to sanction, in order to enable the Government to carry on the affairs of the country, would be an exceptional session, and that when we met this time we should be able to attend to the general business of the country. But now nearly six months have passed, and we are called again together for the purpose of dealing entirely with matters of war, and the administration of the country, owing to that condition of war. We recognize the great gravity of the struggle in which, as part of the British Empire, we are all engaged, and we realize, perhaps to-day more than ever before, that this is no ordinary fight, but a struggle in which the very existence of the Empire and of ourselves is concerned. It was almost impossible for those who have not had any opportunity of studying the feelings and the training that the people of Germany have gone through for so many years—the teaching of their public men, of their philosophers and of their professors—to realize that they have trained and led their people to think that they have a right to the position of dominance in the world, and that that is the object for which their whole training is put forward, and for which to-day they exist.

It is difficult for those trained up with the views that are put into the minds of the British people, and of the people of this country, to realize that any people should to-day think that they have a right to enforce their will, civilization, and culture, on Europe and eventually on the whole world. Such thought was almost inconceivable before we saw what happened in August last. To-day we realize that we are engaged in the struggle in which we are fighting for the liberty and the freedom of the smaller nations, and for the democracy of the world; and we have to bend all our energies and all our power to bring about the result, that this nation against which we are fighting shall realize that they cannot force upon the world the particular civilization that they think is best, and their particular will, in the way they had expected to do it. It came as a great surprise to them that the British Empire could stand together in the way it has done. In their training and in their examination of the conditions under which the British Empire exists they had come to the conclusion that the Empire was failing, that it was falling to pieces, and that it would quickly go to pieces whenever an attack was made upon it. But much to the surprise, and I may say to the disappointment of the Kaiser, he found that instead of the British Empire going to pieces, it came together in a way that astonished not only himself, but other people throughout the world. To-day we see a united front presented to the forces of Germany. We are also to take into consideration the wonderful unanimity that exists among the allies, in carrying on this fight. In spite of the endeavours that have been made to bring about disagreements between the nations that are allied together for the purpose of this war, they have stood together and fought together in a way that has caused the admiration of the whole world. Such being the example that is set before us, it behoves the people of the different parts of the Dominion to show the same unanimity, and to endeavour in every way to show that we are all agreed on the line of action that is being taken, and that we are working together for this one particular end and object. As we said in the session of August last, we are all working to help, as far as we possibly can, the Government in the work of the administration of the country. We do not propose in any way to hamper the working of the Government in carrying on the heavy administration that necessarily falls upon them at the present time. The Government must accept the full responsibility for all the adminisitration, and realize that we will have a right to criticise when a more favourable and better opportunity occurs; that although we may not entirely agree with what they do at the present time, it is in the interest of the country that we should withhold most of the criticism that we have to offer. In the future when the terrific struggle in which we are now taking part has been brought to a final conclusion we may have an opportunity of examining the record of the Government, and showing the country wherein we think they were wrong in what they have done. At the present time we propose only to offer such criticism as is reasonable, and should be of assistance to the Government, and let them know that we are as desirous of helping them, and the country, as they are themselves. The work that has been done by the Govern-

ment in despatching the first contingent of men over to England has been a good work, and one that has been appreciated throughout the country, but in connection with that I would like to draw the attention of my hon. friend the leader of this House to the question of recruiting throughout the western country. There was in the West a great deal of dissatisfaction expressed in the way the first part of this recruiting was conducted, and a great many men who had come from long distances were very much disappointed to find that after they had been enrolled they were again disbanded. They had come long distances in order to give their services to the country, and they were unable to return to the work that they had left, and were placed in a position of being thrown on the country without any prospects of obtaining work, and without any knowledge of where to go and look for it. Then also there was a large number of men who came a long distance, gave up their homesteads, left them for the purpose of enlisting, and when they got to the point where they thought it was possible for them to have an opportunity of enlisting, they found that they could get no information, and were left without knowing what they could do. This condition of things was shown up by some letters that appeared in the Spectator of London, England. The first letter appeared on the 26th December, 1914, and reads as follows:—

The Lack of Recruiting Facilities in Canada.

To the Editor of the Spectator.

Sir,—Your editorials, your leading articles, the correspondence you publish, reiterate weekly the need for men and more men. Here in western Canada, and I believe it is the same in eastern Canada, men single and unemployed, the vast majority between the ages of eighteen and thirty-eight, the vast majority born in the British Isles, are flocking into the cities and are willing and anxious to fight for Canada and the mother country. What do they find? For every man required for the Canadian forces there are five or more offering themselves. The cities they have come to have no work for them, the country districts and railroad camps they have come from require them no longer; they are forced to beg, borrow, or steal a livelihood.

The press and public men in public speeches on both sides of politics have sought in vain an explanation for the anomaly from the Government on this side of the Atlantic. Is there no chance of an explanation coming from your side? If the British Government chartered a steamer to sail from Halifax on Christmas Day, no better Christmas gift could be given to hundreds of young men in Canada than the opportunity to fight for their King. If Canada cannot mobilize these men here, if Canada cannot give them employment, let her at least see that they are given the opportunity to fight.

I am, sir, etc.,

J. Howard T. Talk.

126 Ethelbert street,
Winnipeg, Man., Canada.

Then there is a note to that letter, appended by the editor of the Spectator of London, England:

(If the facts are as stated by our correspondent, a great opportunity would seem to have been missed. Every citizen of the British Empire who wishes to join the Imperial forces ought to be given facilities for doing so, provided he is eligible. It should in war time be his inalienable right.—Ed. Spectator.)

Further a letter appeared on the 2nd January from a gentleman signing himself ' A continental chaplain,' which reads as follows:—

The Lack of Recruiting Facilities in Canada.

[To the Editor of the Spectator.]

Sir,—I read with great satisfaction the letter of your correspondent from Winnipeg, with your appended note in approval. There must surely be some defect in the organization for recruiting in western Canada and British Columbia by which we are losing large numbers of men who would furnish the best material for the addition so much needed to our present forces. The facts concerning lack of employment cited by your correspondent are nowhere more appalling than in Vancouver, where, as a private letter (from my son-in-law) informs me, there are at present some fifteen thousand men in enforced idleness. I feel confident that if sufficient facilities were offered, the urgency of the need properly put before them, and recruiting seriously pressed, a very large proportion of these would gladly offer themselves to serve. If, as it would appear, the fault of slackness rests with the Canadian Government, cannot the initiative come from the Home Government? It is not to be thought that considerations of expense of transcontinental transport can possibly stand in the way, in view of our national need,—I am, sir, etc.,

A Continental Chaplain.

Then on the 9th January, a week later, a third letter appeared as follows:—

The Lack of Recruiting Facilities in Canada.

[To the Editor of the Spectator.]

Sir,—Since reading Mr. J. H. T. Falk's letter and the editorial note in your issue of December 26, 1914, I have received a letter from my brother, who is in Saskatchewan. Before going to Canada he was in a yeomanry regiment, and is a good shot, yet he finds it impossible to get into any Canadian force for active service. He has been trying since the war started, but has only succeeded in getting into a local corps whose chances of going to the front are exceedingly remote. This is what he says in the letter I received on December 27:

After the quotation the writer continues:

Perhaps you will think this a matter worth pursuing, especially as I understand that the physique of the great majority of would-be recruits is finer than that of the contingents already sent, the latter being largely young men from the towns, who are neither so robust nor so capable of turning their hands to anything as the western settlers.—I am sir, etc.,

H. J. P.

If this matter has not already been drawn to the attention of the Government, it is one's duty to bring it to their attention now, because from all the information we have, from the speeches of public men in England, from the reports of Sir John French, and from private letters from the men serving in the trenches, the great need at the present moment seems to be men; it is almost heart-rending to read some of the letters that were published in the beginning of the war from men who were then fighting, who pointed out so strongly that had they had more men at that time they could have done so very much better. The men who are ready to come forward should be in training and getting themselves ready to take their places in the fighting line. In the near future it is going to be a question of being able to put the greatest possible number of men in the front, and all those men who are ready and anxious to do their part and go to the front should have an opportunity of getting there either through the Canadian Government, or by being placed in a position to go over and join the forces in England. I hope that the Government will see their way to giving attention to this matter, and dealing with it as promptly as possible. Another matter which has been widely talked about in the country and by the people is the question of the supplies to the men, especially in the matter of boots. It was very gratifying to find the Minister of Militia when he was on his tour in the West the other day, stating that he was going to make it very warm for the man who supplied those boots, as soon as ever he could find him. We hope that the Government are going to take every possible measure towards bringing to justice these contractors, or whoever it is that is responsible for having issued to the men those undesirable boots, which have caused trouble not only in England, but also in the western country. The Government, dealing with large sums of money as they have to do at the present time, and with large contracts, are sure to come across men who are not as scrupulous as they ought to be in carrying out their contracts and in supplying the goods they are called upon to supply; but the only way that the Government can safeguard itself in a matter of this kind is by letting it be known that any man who does not fulfil the specifications of his contract, who does not carry out that contract to its strict letter, will be brought to time and have to give an account to the country of his delinquency; no man, whatever his position, who is shown to be responsible for sending out supplies that are not up to the specifications, should be left off the delinquent list. The Government have a great responsibility on their shoulders in this matter, and I am sure that they will take it up and show to the country that they realize the seriousness of the situation, and are prepared to do everything that should be done to see that our men are properly equipped, and that they should not suffer in any shape or form from the non-fulfilment of the contracts that are let by the Government. There is not very much to be discussed in the speech from the Throne. The whole Address deals with the question of war and there is only one clause dealing with the trade of the country. We are very glad to know from that statement that the trade of the country has been able to stand the strain that has been put upon it by the exceptional conditions which arose in August last. We hope to learn from the Government later on, what they have been able to do to assist the trade of the country in meeting those conditions; what new departures they have been able to make to help in meeting the conditions that then arose. At this time I would like to draw the attention of the Government to a notice that appeared in a paper a short time ago that the Government of Australia had not been able to see their way to giving to Canada a preference in the Australian markets. We had all hoped that something of this kind could have been obtained when the Government of Australia was reconsidering the question of tariff, and it is a great disappointment, especially to the people of the West and British Columbia, that they are not going to be able to get any preference in the Australian market for the goods that they send down there. We hope that this is not a final arrangement, but that the Government will assure the country that they will be able to make some negotiations with the Australian Government whereby the trade in Canada can be put in a more preferential position than that of our neighbours to the south. Before I sit down I will try to express the appreciation and the confid-

ence that is felt at the present time in the way that this struggle in which we are engaged is being handled by the British Government. We all appreciate the enormous difficulty of the fight, and realize the difficulties of the situation that had to be met by the British Government. We all appreciate that the difficulties of the situation have been handled in a very able and masterful way. We also desire to express our admiration for the courage of the men who have so nobly laid down their lives in the trenches in fighting for the defence of the Empire, and also for the courage and endurance, the cheerfulness and bravery, shown by the men who are in training, and those also who are holding the front in the trenches to-day. The exceptional conditions under which this fighting has had to be carried on is something that no one could foresee, and the sufferings that men have had to undergo when they have had to be kept in the trenches, is enough to call forth the admiration and appreciation of everybody who gives one moment's thought to the position in which those men have been placed. We have also great confidence in the men who are directing the forces of Great Britain on land and sea, and also the forces of the Allies in the different parts of the world. We realize that with those men directing this contest on the side of the allies we shall eventually attain the object that we are all so anxious to see achieved—the gaining of the fight for liberty.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—We are indebted to the mover and seconder of the Address for the excellent speeches that have been made upon the speech from the Throne and the very exhaustive and eloquent manner in which they have dealt with the subject. They, with my hon. friend the leader of the Opposition, have so well covered the entire subject that there remains little to say except to again travel over the ground they have so well surveyed. So much has been said and written upon the war since the 1st August last, that there is no phase or feature of it that has not been presented to the public, thus making it difficult, if not impossible, to say anything new or interesting upon the subject.

When Parliament met in the month of August last, war had been declared only a few days previously. As Germany had been twenty-five years preparing for this war, and had its armaments ready and its plan of campaign absolutely decided upon, she therefore selected the time, the place, the circumstances and conditions under which to begin. In the month of August last when war was declared, in a few days thereafter Germany had over-run Belgium and practically occupied the territory which she is now seeking to hold to-day. The allies having had only an inaccurate idea of Germany's designs were naturally found unprepared and our last session of Parliament found them in a scarcely more advanced position than a process of mobilization. We are in a position to-day to look back upon six months of the campaign and to examine the situation as to what has been accomplished.

Germany began the war with a trained army approximating five millions of men, far exceeding anything in size and efficiency that the world has ever seen. To confront and battle with this almost inconceivably gigantic machine, representing not only the greatest of numerical strength but the highest genius which a nation for twenty-five years could concentrate upon building and perfecting, required a task on the part of the allies such as no nation or group of nations had ever been called upon to face in modern or ancient history. Particularly was this task rendered the more gigantic by reason of the programme of speed which had been adopted by the enemy for the carrying out of its campaign. Paris was to have been reached and taken in the first month of the war, the army on the western frontier was to join that upon the eastern and Russia was to be overwhelmed in the second or third month of the war. By some inconceivable flight of the enemy's imagination our Empire was to be reduced to a second-rate power, and the seas swept of her navy and her shipping before the snows of winter fell. This programme of the enemy has fortunately, not only for the allies, but for the whole civilized world, failed of its consummation.

For the last forty years Germany has had visions of world power, she has ever dreamed of war; for a generation, she has sowed the seeds of war and of hate in the minds of her population from infancy up; she has taught it in her schools, in her universities, in every ramification of life; she has fed her people upon the splendour, the magnificence and the national advantages of war. It has dominated her religion, her scholarship, her literature, her so-called culture and every phase of her national life. The whole national purpose of her people has been concentrated upon building up a war machine to overwhelm the other great powers in a world-wide devastation

of life and property. Its glories and its triumphs so blinded their imperial vision that naught else could be seen. War's appalling and inconceivable horrors were not for Germany, but for the nations upon whom she was to ruthlessly trample and destroy with the instrument which she had conceived and builded.

She wanted war and she now is experiencing war and in all its appalling tragedies. The last six months have seen the German armies driven back on both fronts, the armies of Austria-Hungary demoralized, Turkey in the way of disappearing from the map of Europe, the losses of the enemy running into millions, almost every family in Germany clothed in the habiliments of sorrow, mourning for those who have fallen on their own red battle-fields, the grim spectre of want and of hunger beginning to stalk through its cities, its external commerce wiped out, its vast shipping bottled up, its ships interned in the world's great shipping ports, its great volume of internal trade destroyed, its financial structure demolished, its surviving navy skulking behind the fortifications of the Kiel canal, the other of its ships sunk off the coasts of Heligoland, off the Falkland Islands and in the North Sea, its foreign possessions captured by the allies and its imperial unity and destiny which demanded world power, threatened with dismemberment.

The last six months has seen the triple entente re-inforced by Japan and Servia and Montenegro, while other powers await the psychological moment to throw in their lot with the allies. England, France and Russia, none of them prepared for war six months ago, have since then built up invincible armies with armaments equal to, if not superior, to that of Germany, armies that will triumph over the enemy as surely as the sun will rise on the morrow. Never in the history of the British Empire has she maintained the supremacy of the seas as of to-day. Never have her arms achieved such illustrious victories as in the last six months on the battle-fields of France. The whole Empire is not only awakened to the common danger but has responded with a unity of loyalty and devotion beyond utterance. The whole world has been aroused to the German menace, and the great national powers that have not yet arisen are awaiting to join their forces with the allies and crush for all time the military autocracy that is now devastating as a pestilence the fruitful country and the historic cities of central Europe.

Probably the most striking feature of the war has been the inconsistent, the paradoxical character of the military party in Germany. Though since the Franco-Prussian war they have concentrated their greatest energies in preparing for this war, although every feature of the national life has been permeated and steeped with this intention, and although the German Emperor selected the occasion and the conditions under which this colossal war was to be waged, and the nations against whom directed, yet with a paradoxical inconsistency and deception he throws the responsibility of this war upon Great Britain. Notwithstanding that he had declared war upon Russia and upon France some days before Great Britain made her declaration, yet his press and his declarations teem with malicious falsity as to the causes and sources of the war. Notwithstanding Germany's courage as a military power, yet greater moral cowardice is not to be found in human annals than the deception the German Government is now seeking to practise upon the masses of her own people and upon those in other nations credulous enough to be deceived by the falsity of their representations.

Although for a generation she has prepared and preached an intended war, yet she now whiningly claims to have been a nation of peace, and to be credited with striving to maintain the peace of Europe for the last forty years. A short time ago Professor Lasson, of the University of Berlin, wrote a letter that had wide circulation, claiming that German characteristics were love, charitableness, loyalty and truth, while at the same time he was author of a work glorifying the brutality of war and ignoring in war every law human and divine, a work now published by the German Government and distributed for popular use. In this work he out-ran Trietchke, Bernhardi and the other of the most brutal writers of German war literature. The German Emperor while for years avowing himself the great protector of the peace of Europe, went on preparing for this war. He it was who urged his army when leaving for the China war at the time of the Boxer troubles, that they were to spread terror amongst their enemies and to adopt the methods of the Huns under Attila. He erects altars to Almighty God upon the battle fields of

Belgium amongst the shambles of human blood, the blood of innocent women and children and non-combatants, mutilated and murdered in cold blood in the protection of their homes and firesides, and this to terrorize the inhabitants of peaceful cities and towns. He deliberately destroys the most historic buildings and works of art in Belgium, buildings spared by the barbarians of the middle ages, and then professes to weep tears of sympathy and sorrow at his having been compelled to do so. He derides and ignores treaties and conventions as might be expected of the barbarians of ten centuries ago, and yet at the same time pleads the conventions of the Hague Tribunal when he seeks to enforce them as against a neutral country. He sends his battleships to the undefended sea coast towns of England, deliberately murders women and children and then whines because Great Britain has placed an embargo upon contraband of war entering neutral ports for use in Germany. The psychological feature of Germany waging this war is a subject of deepest interest to every student of human nature. It transcends all human understanding that a nation which became imperial in its constitution and in its national career since the Franco-Prussian war, could conceive of their ability at the present time to achieve world power in the overthrow of the other great powers of Europe. Never was there such a case of national insanity as this from which Germany is suffering. This germ of world power seemed to inoculate the blood of her Empire immediately after it was organized. It has been implanted in every youthful mind, it has permeated every page of her literature, her schools have taught it as the religion of Germany, her professors have lectured upon it in every university, and even her ministers of religion have preached it as a divine gospel from the pulpit until the whole nation became obsessed with the hallucination that this was their destiny.

In no nation has the national ego ever been developed as in Germany. No nation ever prided itself so much on its faculty and capacity for scientific, philosophic and diplomatic analyses both of nations and things as does Germany. In applying her standard of measurement to foreign countries France was found to be helpless, Russia a revolutionary mob and England corrupt and decadent. Fully confident in her world destiny, her constitutional authorities have, it is said, prepared a new constitution by which the belligerent powers are to be absorbed in the hegemony of Germany with the German Emperor as the divinely appointed Over Lord of Europe. Never did Germany pause to think that Great Britain, that France, that Russia, that Japan and the other great powers of the world had for centuries been building up their empires both through the arts of peace and of conquest when the present Germany was nothing but a country of scattered states and principalities. Did she think these great powers had so far lost their virility, their manhood and their nationhood as for a moment to permit themselves to be overwhelmed or even overawed by this military despotism?

Had Germany for a moment analysed the trend of civilization, of democracy, of free government and of the diffusion of intelligence and education among free peoples, she would have awakened from her dream and would have pursued the even tenor of her way in building up her own nation through the arts of peace instead of setting in motion those irresistible forces by which she is destined to be crushed.

The civilization of a people cannot be built up in a generation, no more can it be destroyed in one; its roots extend down into the grounds of centuries. It is the product of many generations, it is a process of the slowest evolution, its progress bears the mark of centuries. Germany's hallucination of its destiny being world power is nothing short of a national insanity which, for the protection of civilization, must be crushed out by the other nations of civilization. This is the task which to-day is facing the allies, the task in which Canada, as part of the Empire, has joined, and which she is determined to pursue to the end.

The forces of civilization have been fighting for centuries to combat the savagery of barbarism. Although civilization may not have entirely eliminated the brute force of Germany which we see displayed in the present war, yet it has so implanted itself in the make-up of the other great powers of the present age that might can no longer dethrone right. Mere brute force cannot take the place of or supersede that moral force which must be fundamental in every nation. In this 20th century we have arrived at that point when the moral forces of a nation are mightier than all the dazzling splendors of empire, when the religion of christianity is more powerful than the religion of valour, when the mantle of human charity is greater than that of

Germany's shining armour, and when the goodwill of nations is more desirable than a place in the sun. Civilization, after battling for a thousand years to place humanity on a higher plane than the Huns of Attila, is not prepared to turn back the hands of the clock ten centuries and accept a modern Attila as the guardian of its freedom and liberties.

Of all the indefensible and destructive wars that have been waged in the history of time, this is the greatest. There is not in it a semblance of justification, it has been conceived and carried out in all its devastation to gratify the vanity, the pride and the ostentation of a military autocracy. When the Napoleonic wars overran Europe, there was about them a semblance of cause and effect. Alsolute monarchy in central Europe had been trampling upon the liberties of the masses. The French Revolution set free and unrestrained the passions of democracy, a wave of license and personal ambition swept over Europe, the national institutions of despotism began to crumble and to make way for broader institutions of government. The time suited the quenchless ambition and incomparable genius of Bonaparte, and what was then the greatest war of modern days swept the monarchical institutions of Europe from their moorings and a new order of things was established. But this war is indefensible; it is without just cause and without reason. Its responsibility is upon the shoulders of the German Emperor, and he will go down to history, yea, and to eternity, his soul weighted by the awful responsibility of the most appalling destruction of life, of the most wilful atrocities and the most overwhelming devastation of property ever recorded in the history of nations.

Owing to our close neighbourliness to the nation to the south of us, I cannot refrain from making reference to the relations between the United States and Great Britain arising out of the many international questions which are naturally expected to arise between that nation and ourselves in the observance by that country of its neutral relations with the belligerent powers. While no official expression of sympathy with the allies has been made by the Government of the republic, yet it is a matter of profound satisfaction not only to the people of Canada but to the people of Great Britain that the Anglo-Saxon press of that country almost as a whole is in deep sympathy with the struggle which is being so successfully carried on by Great Britain and her allies. With a German population of from eight to ten million people, we can very well understand and appreciate the difficulties which naturally confront the Government of the United States. We are, however, sufficiently in touch with their institutions of government and with their ideals of civilization to know that the ideals for which the allies stand are the ideals which pre-eminently distinguish the people of the United States. It should not be overlooked that the government of that country, while holding the scales of neutrality between the allies and the enemy cannot be expected to meet the expectations in all cases of our own people. Questions have arisen between the United States and Great Britain as to the difficulties arising in exercising the right of search at sea of neutral vessels carrying American exports to neutral ports and which apparently up to the present have received the most careful attention and consideration of the British Government, and which promise to be adjusted to the satisfaction of both nations.

No little feeling has been created in the United States over the introduction in Congress of the Ship Purchase Bill. While a very animated discussion has taken place both in the press and in Congress on the effect of the Bill should it become law, and the results which would flow from its operation, it may be safe to say that the present indications are that even, if passed, which is doubtful, in its present form, the Government of the United States will not seek to violate in any sense the conventions affecting the purchase of interned shipping. It is, therefore, most desirable on the part of public sentiment in Canada that due appreciation should be shown for the friendly attitude of the people of the United States towards the great struggle in which the allies are engaged and that the good sense of the Canadian public should be shown in the exercise of cool, calm and deliberate judgment in considering the difficult position which that Government has been called upon to maintain in its neutral relations between the allies and their belligerents.

The principal feature of the legislation of the present session will be that of supply for the assistance we are rendering to the Empire. At the August session of Parliament we entered upon the mobilization of the First Contingent. As the months have gone by the developments which have taken place in the theatre of war have grown so enormously as to throw upon Canada the responsibility of entering more largely into

the defence of the Empire than was contemplated at the beginning. This is a struggle that belongs to Canada as much as it does to Great Britain herself. We are engaged in the struggle as much directly as Great Britain and her allies, and as a part of the Empire we are proud to contribute men and treasure to the utmost that can be done. The greatest tribute that can be paid to the integrity of the Empire is the response that has been made by India, Egypt and the Overseas Dominions. This struggle has welded and consolidated the Empire as nothing else could have done. When the smoke of battle shall have cleared away and peace is declared, there will arise from its present foundation the stately edifice of an Empire greater and mightier than has been.

Reference has also been made in the Address to the country's financial disturbance caused by the war. This feature has impressed itself upon us individually as well as collectively. Probably no more inconvenient time could have arisen for a contraction of our financial arrangements than the present time. Immediately previous to war breaking out, owing to the almost abnormal growth and expansion in Canada, we had already experienced a reaction of conditions and this accentuated by the universal contraction which has taken place in the world's finances has necessarily made itself acutely felt throughout the whole of Canada.

Canada being peculiarly a spending and borrowing country, and having for the last few years entered upon great public undertakings involving the expenditure of hundreds of millions of dollars and depending upon the European money markets being open to our requirements, the money stringency which we are called upon to face, presents one of the most serious problems with which we have to deal. This happening at a time when we have been called upon to meet much of the expenditure incidental to the building of two great transcontinental lines of railway, added to which will be our contribution to the Empire's defence occasioned by the war, confronts us with a financial problem far exceeding in its proportions anything that Canada ever thought of being called upon to assume. The assumption of those obligations is rendered greater on account of the falling revenues of the Dominion which are in inverse ratio with the increasing ratio of expenditure.

The measures which will be brought before Parliament at the present session will be few and almost exclusively confined to dealing with the financial situation which I have already pointed out. The situation is an exceptional one and requiring exceptional treatment. Hence it may be said that our legislation will consist peculiarly of war measures. Notwithstanding the added burden of financial obligation which the country has been called upon to bear and for which provision will have to be made from time to time, there is not the slightest reason for pessimism or discouragement. The resources of the Dominion are more than equal to any and all the financial responsibilities which at any time we may be called upon to assume. Canada occupies practically a continent of undeveloped resources, its agricultural, its mineral, its illimitable wealth of forest and river and lake and sea all present themselves for the exercise of the enterprise and energy of our people. The added burden which we have been called upon to bear will only serve to awaken the people of Canada to the illimitable fields for increased production and newly created wealth which lie before them. With increased responsibilities will arise increased resourcefulness for individual and public enterprise.

While it is only uttering a commonplace to say that the time is peculiarly one for economy and retrenchment in public and private expenditure, yet on the other hand it is peculiarly a time for us to realize the great destiny that lies before us, and the assurance that Canada and the Empire will emerge from the present stress and trial into a condition of the greatest strength and prosperity.

Permit me, in conclusion, to express the hope that the session may be a short one and that in the transaction of the public business that comes before us we may deal with it in a manner satisfactory to ourselves and also to the people of Canada.

Hon. Mr. POWER—I can sincerely congratulate the hon. gentleman from Tignish and the hon. gentleman from Antigonish upon the speeches they have made in moving and seconding the Address in reply to His Royal Highness' speech. It has been my good fortune to have heard a good many speeches on like occasions, but I can say, safely, that I have never listened to two speeches in succession that I found as interesting and instructive as the speeches made by those two hon. gentlemen. If I were to say anything about the speech made by the hon. gentleman who has just resumed his seat, it would

be like attempting to paint the lily, and I am not much of a painter and am not very well up in flowers. I wish to say a few words before the Address is passed. I was very much impressed indeed by the speech of the hon. leader of the Government, but there are one or two points that might have been mentioned. It seems to me that in addition to the armies of both sides of this war, Providence has had a very visible hand. The plans of Germany were, as the hon. leader has stated, under advisement for a quarter of a century, and their plans were made with the utmost skill and craft, but certain things happened that rendered all those preparations to a certain extent nugatory. For instance, if the city of Liège had not offered the sturdy resistance that it did, nothing could have hindered the German army from getting to Paris; and afterwards at Mons, when, under all ordinary circumstances the allied armies should have been defeated and routed, the undaunted and stubborn bravery of the English troops prevented that rout. These are two cases where it seems to me the hand of Providence interposed. If my hon. friend will not take it unkindly there is one little criticism I wish to make as to something he said with reference to the United States.

He spoke of the Anglo-Saxon press of the United States. Now, I am not aware that there is any special Anglo-Saxon press in the United States. There is an English-speaking press, that is conducted largely by Irishmen (laughter). To describe the English-speaking press of the United States as the Anglo-Saxon press is slightly incorrect. There are a number of newspaper men in the United States who would not like to be described as Anglo-Saxon.

I do not propose to traverse the ground that has been gone over in such a thorough and capable way by the hon. gentlemen who have preceded me. The few words I have to say may, to a certain extent, be considered as endorsing those of the hon. gentleman who leads this side of the House. I just take the speech, and although I am not going to deal with it at any length, I shall draw attention to certain things that His Royal Highness says:

> During the months which have elapsed since the outbreak of war, the people of Canada have given most abundant and convincing evidence of their firm loyalty to our Sovereign and of their profound devotion to the institutions of the British Empire.

That is unquestionable. If we go back a little distance, the idea of our sending 30,000 men within so short a time after war began, and our being prepared to send as many more after the lapse of a further short time, is something that a little while ago we could hardly credit; but we have done so, and hence one can cordially endorse what His Royal Highness says there. The next paragraph to which I shall call attention is this:

> My advisers will submit for your consideration measures rendered necessary by the participation of this Dominion in the great task which our Empire has undertaken in this war.

We all cordially agree with His Royal Highness on that point. I may be allowed to say a word or two, though there is nothing fresh about it, as to what the issue of this war is. If England were defeated in this war Canada would be conquered.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—As the hon. leader of the Government has said, Prussian ambition was to be a world power, to control the whole world; that was really the scheme that they have been working upon; and if England were defeated, Canada would lose the liberty and the independence that she has enjoyed for so many years, and the place of those would be taken by the autocratic and tyrannical rule of Prussia. If the allies were defeated in this war, which I do not think at all probable, the whole world would have to bow down to Germany; and there is this thing about this power—the hon. leader of the Government made it abundantly clear that this power is not governed by international law or regard for humanity, but by a determination to win by whatever means. Like Anger in the poem, Prussia ' seeks its prey, something to tear with sharp-edged tooth and claw.'

That is it; it is tooth and claw without any regard for decency or propriety or any of the restrictions that civilization has placed upon war. The hon. gentleman referred very properly to two or three instances of the dropping of bombs on undefended towns, the bombardment of towns where the people killed were inoffensive and unarmed men and harmless women and children, and latest of all, the undertaking to sink passenger ships and merchant ships without giving the passengers or crew any opportunity of being saved. As the hon. leader of the Government said,

no country within the last thousand years has undertaken to carry on war in that spirit. In opposing this power we are fighting the battle of freedom and civilization against barbarism and irresponsible government.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—With respect to the German people, hon. gentlemen must have noticed that there is no disposition, even on the part of the people of England who have suffered from this barbarism, to place the blame on the German peoples as a whole. We have Germans in this country; there are large numbers of them in the province of Ontario; and there are no better settlers in the country.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—We have Germans in the province of Nova Scotia; the county of Lunenburg is almost altogether German, but there are no more industrious, peaceful, or in any way better citizens in the province than these Germans, and the descendants of Germans. They do not interfere with their neighbours; they manifest no desire to alter their neighbours' land marks or to encroach on their neighbour's property. It is just this: this war is the result of the condition of things that the hon. leader of the Government has referred to—the people have been trained by the ruling class, particularly of Prussia, to believe that their rightful destiny was to be the rulers of the whole world; and they have been misled and misguided. To help the good cause, the loyal Opposition in Canada are prepared to aid the Government's efforts to do our duty by the Empire, and to vote such sums of money as are needed to carry on our part of the war, and to support such measures as the Government may show to be necessary to bring the struggle, so far as we are concerned, to a successful issue.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—Now I wish to address a few more observations to the House in a somewhat different strain. I do not assume, as it appears to be assumed, that this session is to be devoted exclusively to providing for the conduct of the present war. The August session was devoted to that purpose alone. We came here and we made the necessary provision for the beginning of the war at any rate, and at the present session undoubtedly, our most important business will be to make provision for doing our part towards carrying on the war. Speaking as an individual member, my own idea is that while no controversial measure should be introduced, the necessary business of Parliament should be dealt with, as in an ordinary session. If this war lasted, as wars have lasted, for a great many years, is it contended that the ordinary business of the country—the things which are found to be necessary for the good government of the country—should not be attended to while the war was going on. I cannot endorse that view at all, and I wish to call attention to two or three subjects which the hon. Leader of the Government should try to impress on his colleagues. One matter is most urgent, and that is the organization of a defence force. We have in Canada the material for a magnificent fighting force, but there is no organization at all; there is no provision for reserves; there are no organizations except a few scattered battalions here and there; no organization that can be called upon at the moment of crisis. This is something that should be remedied, and the hon. gentleman should, I believe, present to the Government this view of the matter.

The late Government was to blame nearly as much as the present Government. While we have largely increased our expenditure for militia purposes, we have not increased the force; we have no organization. Take the case of the present war. Hon. gentlemen, even those who do not come from British Columbia, know what a panic there was in British Columbia for a long time after the war began. There really does not seem to be any good reason why the squadron which sank the Good Hope and the Monmouth should not have gone in and destroyed Victoria and Vancouver. The people of British Columbia were very much afraid this would happen, as there was nothing to prevent it. If we had had a proper organized militia, such as we had a good many years ago in the province from which I come, the Government would have been in a position to call out at once a sufficient number of men to repel any force that would likely have attacked British Columbia. Or suppose again, that, instead of going with England, Japan had gone with Germany, where would British Columbia be? Hon. gentlemen must see that we have been living in a fool's paradise. There is this thing about the present Government—I said the two governments were almost equally responsible—but there is this difference, that their own inspector general reported to the present Government two years ago, pointing

out the absolute necessity for doing something to improve the condition of the defence force. Then a few months ago there was a report from General Ian Hamilton, who had been brought out from England for the purpose of making that report, and that report shows most conclusively that Canada had not been doing her duty in the way of self-defence, and that she was not in the position to meet attack. It was the duty of the present Government to have attended to that matter. By the occurrence of this war the attention of the Government has been called directly to our practically undefended condition, and it is the duty of the Government at the present session to introduce some measure to put us in a better condition to defend ourselves. I am not speaking as anything but an individual member, but I am perfectly satisfied that any reasonable measure intended to organize the military power of Canada will not be opposed by the Opposition. Perhaps some one may misconstrue what I have been saying; but I wish it to be distinctly understood that I do not advocate conscription. Conscription means that a very large proportion of the young men of the country are taken away from their occupations and are kept years in barracks or camps. That is not what I mean. When I talk of a defence force, I mean that the young men, from 17 to 21 at any rate, should have a number of days' training each year. The spirit of that system is directly opposite to the spirit of conscription, and what is called militarism: We had a system of that sort in Nova Scotia, and no one complained about it; it worked remarkably well, and it cost almost nothing. The men were not paid, and did not expect to be. I heard some hon. gentleman make some reference to the peace that was to follow when this war was over. Now, as the American orator said: 'Gentlemen may cry peace, peace, but there is no peace.' We have the best authority for believing that as long as man is man so long will there be 'wars and rumours of war,' and it is our duty to do something to make ourselves ready when the war comes. We have a great many blessings in this country. There is no country in the world that enjoys greater blessings than Canada, and we should be prepared to make some sacrifices of our own ease and comfort for the purpose of preserving these blessings. And there is just this: now the people realize something of the kind is necessary. Some hon. gentlemen may say: 'Oh, that will do next session or some other session.' The difficulty is that when next session comes, if the war is over, you cannot work people up to look with favour upon a proposal to increase the strength of the militia.

Then there is another matter to which I wish to refer. Some couple of years ago the Government appointed a commissioner, Sir George Murray, for the purpose of inquiring into the condition of our Civil Service and reporting on it. He made a very able report, and a report which should have been acted upon before now, but no step has been taken towards introducing any of the improvements into the service which Sir George Murray recommended. That is a matter in regard to which something might be done this session. The Government introduced a Bill last session but did not push it. This is not a party question. I do not see any reason why the Government should not do something with their Civil Service Bill this year. Then in addition to that—and perhaps a more urgent matter—is the question of superannuation. More than one commission have reported on that subject. The Government prepared a Bill and introduced it last session, and I do not see any reason why that Bill should not be gone on with. Superannuation is not a party question. There is another matter to which attention has been called more than once, and that is the matter of public printing. I do not care to weary the House by going into that, but I say that I have reason to believe that something like one million dollars a year may be saved by improvements in the practice with reference to public printing. There is no need of duplication of reports, and there is, at present, unlimited printing of reports that are almost utterly unnecessary. There is also the distribution of reports to gentlemen who do not want them. It is a serious matter, but it is not a matter that should be very difficult to deal with, and the Government needs to save all the are almost utterly unnecessary. There is one matter that they ought to deal with, one in which they would have the support of the Opposition. I am sorry if these few observations of mine should be thought to look as though there was some slight difference in the House, but there really is not.

Hon. Mr. DANDURAND—When we met in August last we felt convinced from the news we had coming through the cables

of the negotiations that had preceded the war, that the allies stood for justice, and that they were not the aggressors. We had, besides, the negotiations which we had followed from day to day, the opinion of a nation who should not have been biased in favour of the allies; in fact, from an ally of Germany and Austria, namely Italy, which declared that by the treaty that bound her to the Triple Alliance she was not called upon to enter a fight which was an aggressive one. This stamped the action of Germany and Austria as one of aggressiveness by its own ally and friend, Italy. Since we separated last August we have been able to look at the correspondence which was exchanged by all the principal powers of Europe during the crisis, and we have the satisfaction of knowing to-day that the universal conscience of the world approves the position taken by the allies. Through all the neutral countries the opinion is held that this war was engineered from Berlin, and from Berlin alone. The evidence is clear that Germany refused to abide by the offer of Sir Edward Grey of an arbitration, which should be offered by two friends of Austria in the difficulty between Austria and Servia, Germany and Italy on the one side, and by two friends of Servia, France and Great Britain on the other. The answer of Germany was 'I do not in principle refuse that suggestion, but I will not suggest it to Austria. Let us see if Austria and Russia cannot open negotiations between themselves, and try and settle this matter between them.' Austria at first seemed to be unwilling to approach Russia and accept the offer of Russia of a quiet discussion between the two, but when Austria realized that Russia was bound to stand by Servia, if there were not some kind of understanding, or agreement, at last yielded to Russia's offer to a conversation between the two powers. The very day this consent was given by Austria, Germany stepped in and declared war against Russia. The reading by any unbiased mind of the history of the negotiations which preceded the declaration of war has crystallized public opinion throughout the world in favour of the cause of the allies. But I want for a few moments to dilate upon one fact which was mentioned by my hon. friend the leader of the Government, that Germany was prepared completely and absolutely for this war, as she thought, while France and Great Britain were not prepared. Of course France was more prepared than Great Britain for a land campaign, but it was very evident that France had not within the preceding five years expended all the necessary money to prepare its material, to obtain for instance its heavy guns in order to be ready at a given date. France had reenacted the three years service just a year before, but was simply organizing its forces and preparing for a defence in case an assault should take place such as that which actually happened. It is evident to all military critics that on the first August, 1914, Germany felt that it could not be more prepared than it was, while France was in the same condition that it had been during the five or ten preceding years. Great Britain it is evident was prepared for a conflict at sea, but had not prepared itself for a campaign on land to be begun on the 1st August last. This is clear. And this unpreparedness of France and Great Britain is a complete vindication of the attitude of mind of the allies in this present struggle, of the fact that they had no corrupt intention, since they were going on in their ordinary way without any special preparation for a conflict. If France was half prepared, if Great Britain was not at all prepared for a land campaign, it seems to me that we, in Canada should not be reproached with accusations of unpreparedness or dilatoriness, and yet it is said that we have not done all that we should have done. I read the opinion of Colonel Wood, who is a most estimable gentleman from the city of Quebec, who made a speech before the Canadian Club in Montreal yesterday, and his theme was, 'Canada derelict in duty to Empire,' and Col. Wood proceeded to establish all that Great Britain had done towards Canada and for Canada, and the little we had been doing before and more especially since the first of August for the general cause of Great Britain and the allies. The point I want to make is that since we find the countries of Europe who had not in their minds an assault upon their neighbours, were not in a state of preparedness which we would have liked to find them in, how much more should we find an excuse for a country like Canada, which has never thought of entering world-wide wars, of waging war beyond its border, which has had for one hundred years absolute peace within its borders. How much more excusable are we in having found ourselves in that perfect state of bliss and peace up to the first August last. We must not forget that one hundred years will produce many generations, and in 1914 we were about to celebrate one hundred years of peace with

our neighbours, which practically meant with the world as far as Canada was concerned. In order to show out of the mouth of Col. Wood our state of mind, I will read a paragraph of his speech reported in this morning's Gazette. He spoke as follows:

> On the principle of 'Rep. by Pop.,' Lt.-Col. Woods said the first contingent of 35,000 should have comprised 5,000 Old Countrymen, 10,000 French-Canadians, and 20,000 Anglo-Canadians. While the exact figures were a secret, the real proportions were about—Old Country, 32; Anglo-Canadians, 4; and French-Canadians, 1—a proportion which it was for Canada to see remedied in the future.

He speaks of 5,000 old countrymen. That is English born.

Hon. Mr. WATSON—British born.

Hon. Mr. DANDURAND—Yes, I do not know that that represents exactly what the word is supposed to represent. I would say British born on the other side, but I do know that some Canadian born could call themselves British born as well. This exemplifies the state of mind of our Canadian born population on the 1st of August and in the month that followed. The old countrymen were here for a few years only, and were quite as ready as a fish taking to water to answer the call.

Hon. Mr. DANIEL—Could the hon. gentleman tell the House where Colonel Wood got his figures, and whether they are official and reliable?

Hon. Mr. DANDURAND—I think it will be found when the list from Salisbury Plain are laid on the table of this House or the other, that his figures are not very far astray. I may state to my hon. friend for instance that the Pat's contain about 95 per cent of old countrymen.

Hon. Mr. POWER—Ninety per cent.

Hon. Mr. DANIEL—We know very well that that special regiment was largely composed of old countrymen and men who had seen service; but with regard to the whole contingent outside of that, that was what the hon. gentleman was referring to.

Hon. Mr. DANDURAND—Yes, the Valcartier contingent.

Hon. Mr. DANIEL—I think that the statement in regard to the proportions should hardly be made unless it was known that it was really official.

Hon. Mr. DANDURAND—Col. Wood declares himself that while the official figures are still secret he is not far from the mark when he says the proportion is 30; 4; and 1; and I believe that from my own investigation in the matter those figures will be found not very far astray.

Hon. Mr. DANIEL—I think they will be.

Hon. Mr. DANDURAND—Before the end of the session we should know. This, if my hon. friend will allow me to continue my argument, shows what was the state of mind throughout Canada among the Canadian-born when this war broke out. Now I will merely touch upon the fact that among the Canadian-born, as between French and English, one to four would exactly represent the proportion of these two groups. That was the state of mind of the country in August. I say it is not the state of mind to-day, nor was it two or three months after. The Government has now asked for another contingent. Am I right in saying that that second contingent is supposed to be of about 20,000?—because I have read in this morning's papers a remark from the Prime Minister that 50,000 men, with the present contingent already over the seas and those that we are training, represented the two contingents that would go forward. I have not had the official figures, and perhaps my hon. friend the leader of the Government will know if I am right in saying that 20,000 is the number fixed for that second contingent.

Hon. Mr. LOUGHEED—I cannot tell you; it will be at least that.

Hon. Mr. DANDURAND—It does not matter very much in connection with the remarks that I want to add. Another second contingent has been asked. At the same time that it was asked it began to be rumoured about that the Canadian-born had not shown as much zeal in the first contingent as the British-born. A well-known Canadian doctor in Montreal, who belongs to the militia, Dr. Mignault, felt, from the number of demands that came to him from French Canadians who wanted to enlist, that some opportunity should be given them to do so. He, therefore, asked our public men to join in a call to one province, and certain leaders from the other House, Sir Wilfrid Laurier and the Hon. T. Chase Casgrain, accepted the invitation and addressed a meeting in Montreal. French Canadians were offered a regiment. The ambitions of Dr. Mignault and his friends were greater; they thought that they should be allowed to enroll a brigade, but for reasons which have not been disclosed by the Militia Department, only a regiment was allowed.

However, the call for a regiment of 1,000 or 1,200 men was answered by over 4,000 men of French Canadian descent from the province of Quebec.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANDURAND—So that if we found on the first of August, a certain state of mind running through the whole of Canada from the Atlantic to the Pacific, quite justifiable because of our long series of years of peace, we find to-day the population ready to follow in the footsteps of the British-born; and I am glad to say that in this struggle in which Great Britain, France, Belgium, Russia and Servia are engaged, and which represents the defence of all our ideals, the province of Quebec and the French-speaking part of that province will do its share as largely and as liberally as any part of the English and Canadian-born throughout Canada.

Some hon. GENTLEMEN--Hear, hear.

Hon. Mr. LEGRIS: Hon. gentlemen of the Senate. I had no intention whatever of speaking in this Chamber to-day. Being fully aware of the ability and eloquence of the hon. gentlemen who have preceded me, I did not think it would be advisable for me to rise from my seat.

The hon. senator for Tignish, (Hon. Mr. Murphy) who moved the address in reply to the Speech from the Throne, made a speech worthy of this Chamber and of the position which he occupies. Hon. Senator Girroir, whom we are always pleased to hear in this Senate, has proven that he is equally fluent and eloquent in both the official languages of this country. This is an excellent note in his favour and I heartily congratulate him.

The two party leaders in this House have not surprised us. We are used to their eloquence and the sound and judicious addresses they have just delivered is an additional claim to the confidence of their followers in the Senate.

It would be presumption on my part to endeavour to add anything to what they have said with a much greater eloquence than I can command.

On the subject of war, there is but one voice and one sentiment in this country, and that sentiment is in line with the reasons so eloquently expressed by the leader of the Government, in order to secure to the whole world a durable and humane peace. But there is another matter to which I desire to call the attention of this honourable House: this country is now in a most critical financial position. From one end of it to the other, the crisis is terrible. In most of the eastern cities the distress is appalling; the situation in the West is alarming. I am ready to admit that the present situation has been accentuated by the European war, but it seems clear to me that we were already in the crisis before the declaration of war. We are now summoned, if we judge by the Speech from the Throne, simply to vote millions and hundreds of millions to the Government. No measure is announced to show us that the ministers realize the distress of the Canadian people. There is but one thought; the securing of millions for war purposes.

The business of the country seems to be forgotten, as though we were to cease living until peace is signed, or as though the earth were going to be at a standstill while the guns are pouring shells over Europe.

In conclusion, allow me to say, hon. gentlemen, that I would have been pleased if the Government had announced its intention of adopting some means of allaying the distress of the Canadian people.

If the Government had adopted this course, I feel convinced that they would have received the unanimous support of this Senate, and also the millions asked for war purposes.

The motion was agreed to.

The Senate adjourned until three o'clock tomorrow.

THE SENATE.

Wednesday, February 10, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

INCORPORATION OF COMPANIES ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. DOMVILLE introduced Bill (A), An Act to amend the Act respecting the incorporation of companies.

Hon. Mr. CLORAN—Will the hon. gentleman explain?

Hon Mr. DOMVILLE—This Bill should commend itself to the House. It is simply

following out the lines of the English Companies Act and the Ontario Act, which I hold in my hand. This measure requires companies which are incorporated by Parliament, to file a list of their shareholders with the Secretary of State so that anybody can see the names on making application.

Hon. Mr. CLORAN—In the same manner as the banks?

Hon. Mr. DOMVILLE—Very much the same. It is to enable anybody who is buying stock in one of these companies to ascertain who his partners are. In England you pay a shilling for permission to look at a list of shareholders, or you can get a copy of the list by paying a certain fee. That provision has never been thought of here.

The Bill was read the first time.

BILL INTRODUCED.

Bill (B), An Act respecting the Pollution of Navigable Waters.—Hon. Mr. Belcourt.

FUNERAL OF THE LATE SIR FRANCOIS LANGELIER.

MOTION.

The SPEAKER—Following the precedent laid down in May, 1911, it is moved by the Hon. Mr. Lougheed, seconded by the Hon. Mr. Bostock, that the hon. the Speaker of the Senate, the Hon. Messrs. Shehyn, Choquette, Tessier, and Casgrain be appointed to attend as representatives of the Senate at the obsequies of the late Sir François Langelier, late Lieutenant Governor of the province of Quebec.

Hon. Mr. McSWEENEY—I would like the Hon. Speaker to add the name of Senator Godbout (Beauce) to that list.

Hon. Mr. CLORAN—I would like to make a suggestion on behalf of the province of Quebec. Sir François Langelier was one of our best public servants for nearly forty-five years past. He served not only the interest of the people of his own race, but he was a kindly, genial man all round, and served the interests of the different nationalities in that province. His death, of course, had been expected for some time, but he has left on the records of the province of Quebec many evidences of his usefulness that cannot be wiped out. He was a kindly and good-hearted man; he was mayor of the city of Quebec for many, many years; one of the most prominent men in the House of Commons for a large number of years; he was also chief justice of his province for years; capable, always willing to serve his country in the best direction, and never upon racial or religious lines. He was a man of peace and conciliation. I suppose it is a matter of forgetfulness, rather than of neglect, that the English speaking minority of the province of Quebec is not represented in the list named by the Speaker. I, therefore, on behalf of the minority of the province of Quebec, suggest that the names of the hon. senator MacKay (Alma) be added to the list. Sir François Langelier was much appreciated in life, and his death will be very much deplored.

The SPEAKER—Those names will be added to the motion.

The motion was agreed to.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Thursday, February 11, 1915.

The SPEAKER (Hon. Mr. Bolduc, in the absence of Hon. Mr. Landry) took the Chair at Three o'clock.

Prayers and routine proceedings.

ABSENCE OF SENATOR ROBERTSON.

Hon. Mr. CLORAN—It was decided at the meeting of the special committee on Orders and Customs of the Senate and Privileges of Parliament, sitting this afternoon, that a letter be sent to Hon. Mr. Robertson, Prince Edward Island, asking him to give reasons why he has not attended the sittings of this House for two sessions. I do not know whether the action taken will be referred to this House, but I should like to know whether that letter is to go direct from the committee, or whether it must be ordered by the House. This is a very serious matter, and I do not think the committee has any right to send such a letter. If I were Dr. Robertson I should ignore it. It is inhuman, undignified, and improper under the circumstances, to ask the hon. gentleman in his present condition, to give reasons why he has not attended the sittings of the Senate. I wish to know if that letter is to be sent without the full sanction of the Senate.

The SPEAKER—All the papers regarding Hon. Mr. Robertson's absence will be submitted to the committee, which will meet at the call of the chairman, and I understand the report of the committee will be submitted to the full House, and that will be the time, as I understand it, to discuss the adoption of the report.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Friday, February 12, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

PURCHASE OF NEW BRUNSWICK AND PRINCE EDWARD ISLAND RAILWAY.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

Has the Government purchased the railway known as the New Brunswick and Prince Edward Island Railway?

1. What is the length of the said railway?

2. Who were the owners?

3. What was the purchase price?

4. Is it being worked and operated as part of the Intercolonial system?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:—

There is an agreement for purchase.

1. 36 miles.

2. The New Brunswick and Prince Edward Island Railway.

3. To be $270,000.

4. It is being operated by the Intercolonial Railway.

THE LATE SENATORS JAFFRAY AND KIRCHHOFFER.

Hon. Mr. LOUGHEED—In making reference to the death of our late colleague Senator Jaffray we are vividly reminded that the years of our pilgrimage are growing apace. In the summer session of August last he was with us and to all appearances gave promise of several years of public service. In conversation with him at that time he impressed me as possessing that usual vigour and strength of mind which he always evinced in the transaction of public business.

Those of us who were unaware of his very short illness were startled to learn of his most sudden death. From a life of great activity, identified as he was with many of the great financial institutions of our country, he was suddenly summoned to that Bar from which no traveller returns.

The late Senator Jaffray belonged to that splendid type of man who many years ago came from Scotland and laid deep and wide and strong the foundation of our national institutions. For over half a century he was peculiarly identified in the building up of many of the great industrial and financial institutions of his native province. Few men were so largely associated with the business life of the city of Toronto as was our late colleague. Coming into the Senate in 1906 he rendered invaluable services through the exercise of his ripe experience and his cool and deliberate judgment in those matters of important legislation with which this Chamber has to deal.

He was most closely associated in business and in friendship with our late colleagues Hon. Senators Cox and Sir George Ross, the three of whom by a strange coincidence were summoned by death during the year 1914. For over a generation he was probably more closely associated by ties of friendship with those of his late colleagues whom I have mentioned, than with any others outside of his own family. They were all men who left deep impressions upon the public affairs of Canada and this Senate and the public life of Canada have suffered irreparable loss in their removal. While Senator Jaffray, though deeply attached and loyal to the great political party to which he belonged, yet in his friendships and in the exercise of his kindly acts knew no distinction of party. It is, therefore, with the deepest regret that we place upon the records of the Senate the great loss which we have sustained through the death of our late colleague from Toronto, Senator Jaffray.

It has been my melancholy duty on many occasions to mention to the Senate of the loss through death of the many colleagues who within the last few years have left vacant chairs in this Chamber. With none of them have I been so closely associated as with my departed friend, the late Senator Kirchhoffer. He became a member of this Chamber shortly after I entered it and since that time down to the time of his death the ties of friendship united us most closely. He was one of the pioneers of the great Northwest. Thirty odd years ago when a young man he left the province of Ontario and laid in the

West the foundations of a prosperous settlement in a district within which for many years he lived and so well represented in this Chamber.

Not in the history of the Senate since Confederation has any other member of this Chamber held the chairmanship of a committee so long and so continuously as did our late colleague in presiding over the deliberations of the Divorce Committee. For approximately twenty years he was uninterruptedly chairman of that committee and to him are we deeply indebted for the valuable services which he rendered in that capacity.

For many years in the social life of Parliament no member endeared himself more closely and more acceptably to the passing friendships which Parliament in its changing conditions brings about. His was a most genial nature. He not only believed in the sunshine of nature but in its reflection upon human kind. During the long period in which I had been acquainted with him never do I recall having seen him moody or depressed, but he ever was the personification of geniality and cheerfulness. He was one of nature's gentlemen and reflected the spirit of gentility wherever he went. He was a leader in the world of sport. At one time he was one of the leading athletes in Canada and represented Canada abroad in may of her international contests. He was a man that placed on a high plane this feature of our national life. He belonged to the best type of our public men and whatever he did or wherever he went he never failed to uphold the dignity of Canada. He was loved by all, and those who knew him best cherished his friendship most. His death was a profound loss to the Senate and to the Dominion. Our deepest sympathy goes out to his widow and family who through his death have been plunged in the deepest grief. For many years we shall cherish the memory of our deeply esteemed and beloved colleague Senator Kirchhoffer.

Hon. Mr. BOSTOCK—I feel that it is difficult to add very much to what has been so admirably said by the hon. leader of the House in reference to the departure from this Chamber of our honoured colleagues, Senator Jaffray and Senator Kirchhoffer. Senator Jaffray was known from one end of this Dominion to the other. In early life he took a prominent part in the affairs of his own province, and he was recognized by the leader of the Government at that time, Hon. Alexander Mackenzie, as being a man of prominence and good business ability, for he appointed him as one of his directors of the Northern Railway, representing the interests of the Canadian Government. He was so successful in looking after the interests of the Government on that occasion that he secured for the Government the re-payment of all the money that had been put into that railroad. Senator Jaffray took a great interest in all the public affairs of this country, and had a great belief in the future and the prosperity of Canada. He was closely associated with the late Hon. Sir George Ross when he was Premier of Ontario in the work of the development of the northern part of Ontario, and was a very great help to Hon. Sir George Ross in the work that he undertook in that way. It is hardly necessary to mention to hon. gentlemen his connection with other businesses, especially in the newspaper world. He impressed his personality on the company which publishes the Globe newspaper, and did a great work for the company in the independent and fearless stand that he very often took in the columns of the paper. Senator Jaffray was a man for whom every one who came to know him felt the greatest respect and honour, for his integrity, and his worth as a man, and for the work that he had done for this country. We feel very sincerely his loss in this Chamber, where he was always looked to as a man of great authority on all matters concerning the business of the country, and one who gave great attention to all the measures that came before this Chamber. As has been very truly said of him, he never did an ignoble deed, he never sacrificed principles through expediency, he never served his own interests before those of his country. He was a great-hearted large-minded Canadian, and Canada can ill afford to lose such as he. We extend to his bereaved family our heartfelt sympathy in the loss they have sustained.

Our late colleague Senator Kirchhoffer was probably one of the best known members of this House. He was born in Ireland. I do not know whether he really recognized himself as an Irishman, but he certainly was born in that country, and had some traits of the Irish character. He was educated in England, and from that combination, I think we may say, he gathered the great interest that he took in all sports in every way. He was a man whom we all appreciated for his kindliness and

consideration, and the cheerful way in which he always bore himself to all those with whom he came in contact. His love of sport was shown in the acquiring of a very noted duck-shooting property in Manitoba, where he was glad always to entertain his friends. Large numbers of visitors to this country, besides those who knew him so well in the Northwest, have very kindly remembrance of his hospitality, and the fine sport that he showed them whenever they had the honour of being asked to pay him a visit at his shooting-box. On one occasion he had the honour to entertain the present King when he visited this country as Prince of Wales, and I understand that the duck-shooting on that occasion was of the very finest order. Senator Kirchhoffer took a great deal of interest in the work of this Chamber, and of the committees, as has been said by my hon. friend, and I am sure that I express the feelings of members on this side of the House when I say that we shall miss him very much. We sympathize most sincerely with his bereaved wife and family.

Hon. Mr. KERR—What has been said has been so well said that, under ordinary circumstances, I would have hesitated to intrude on your attention at all, but my relations with one of those who have been spoken of has been so extended over half a century, my intimacy with him and co-operation with him in many things has been of such a varied character, that I would like to claim the indulgence of the House whilst I say a few words supplementary to what has been said—so admirably well said—in reference to him.

Senator Jaffray would have attained the age of 84 years had he lived but a few weeks longer. He came to Canada in 1852, and was actively engaged in commercial business in Toronto from that time (1852) until he became interested in railway, commercial and financial undertakings, in which he occupied a prominent position as a director, always taking an active part as such. Amongst some of these he was for many years a director and vice-president, and for a short time before his death he was president of one of our most important banks. He was very active as one of the founders, and to the time of his death he was a director in the management of one of the oldest and most stable trust companies. He was a director of the Life Insurance Company, whose name for more than half a century has been identified with the life and progress of Canada.

His opinion and advice on matters of business and finance was sought by many of our most important enterprises. Many years ago, on the death of the Honourable George Brown, he became interested financially, as well as politically, in the Globe newspaper, of which he became president, and from that time forward the history of that great organ of public opinion has been influenced by his efforts for its advancement, and by the advocacy of all that he considered important in the vast interest of Canada—morally, politically and commercially. He was careful as to the nature and character of all that appeared in the paper, whether as editorials, news or advertisements, and even of the patrons, subscribers or advertisers, as well as the moral and political advocacy which it expressed. He was justly proud of the position which the Globe attained and maintained as the exponent of Liberal views, patriotic and moral views and measures.

He did much for the advancement and progress of Toronto and of Canada, and held firmly to the maintenance of British connection.

Those who knew him best recognized in him a truly noble Briton. While advocating strongly the importance of the absolute independence of Canada in the management of her own affairs, he was equally insistent upon the duty of Canada to maintain the British connection and for co-operation in all things necessary for upholding the supremacy of the British Empire. He was a liberal supporter of all works for the advancement, care and improvement of those in need of help. He was a kind, considerate and affectionate husband and father, and a faithful, sympathetic friend, a good citizen, a consistent, conscientious politician—tolerant of those who differed from him while at the same time clearly and vigorously enunciating his own convictions.

The country which he loved so dearly; the Senate, of which he was justly proud to be a member; the city, where he resided for some 63 years; the community and circle in which he lived and moved, have all lost a useful and able adviser; and if I may be permitted to intrude myself into this brief notice, in common with those who knew him best, I have lost a good and faithful friend.

He was one of the most highly esteemed and influential members of this Chamber, in which he devoted his most careful attention to matter coming before us, with a consci-

entious regard for the responsibility of our duties here.

Senator Jaffray's long and useful life is now ended; but his activities and his uncompromisingly conscientious devotion to duty in everything he undertook will remain with us as an inspiration to the faithful discharge of our duties here.

I join also with those of you on the other side of this Chamber in deploring the loss sustained in the death of our good and highly valued friend, Senator Kirchhoffer, and I endorse in all sincerity all that has been said respecting him. He was a fine type of an Irish gentleman, and of a good Canadian citizen. He was a useful member of the Senate, and occupied an important place in the committees work, being chairman of one important committee for many years. His bright and cheery manner earned for him many friends who now sorrow over his loss, and I extend our warmest sympathy to Mrs. Kirchhoffer and the family who survive him.

The Senate adjourned until Monday, March 1, at 8 o'clock p.m.

THE SENATE.

Monday, March 1, 1915.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

POLLUTION OF NAVIGABLE WATERS BILL.

SECOND READING.

Hon. Mr. BELCOURT moved the second reading of Bill (B), An Act respecting the Pollution of Navigable Waters.

He said: I assume that hon. gentlemen do not expect me to make any observations on this Bill. For three consecutive sessions this measure has received the consideration of the Senate, and has been passed unanimously on each occasion. Events, I think have demonstrated the necessity and urgency of a measure of this sort. Every member of this House realizes that the Senate has never passed a more opportune or better piece of legislation than this Bill. Like old wine, this measure is improving with age.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. BELCOURT—I move that the Bill be referred to the Committee on Public Health.

Hon. Mr. CASGRAIN—In my opinion all public Bills should be referred to the Committee of the Whole.

Hon. Mr. POWER—I do not see why the hon. member in charge of the Bill should not be at liberty to name his committee. A measure of this kind, which contains important details, can be better considered in a small committee than in the Committee of the Whole.

Hon. Mr. DANDURAND—Is it in the same form as the Bill introduced last year?

Hon. Mr. BELCOURT—It is the same Bill.

Hon. Mr. CASGRAIN—It is absolutely a public Bill, and it should be considered by the Committee of the Whole House. It has been the practice of the Senate in the past to refer similar measures to the Committee of the Whole, but we have strayed from the right path on many occasions, and I have protested against it. I do not think it is right for any public Bill to be referred to any special committee.

Hon. Mr. DANIEL—To what committee was this measure referred on the former occasion? Probably we might pursue the same course as was adopted when the measure was considered by this House before.

Hon. Mr. DANDURAND—My hon. friend has stated the general rule, that a public Bill goes to the Committee of the Whole, but we know that there are occasions when it would be in the interests of a Bill to have it considered by a special committee, and we have followed that course very often.

The SPEAKER—It is in the hands of the hon. member promoting the Bill.

Hon. Mr. BELCOURT—I am in the hands of the House. It is immaterial to me whether this measure is referred to the Committee on Public Health, or the Committee of the Whole House. I shall adhere to my motion that the Bill be referred to the Committee on Public Health.

The motion was agreed to, and the Senate adjourned until three o'clock to-morrow.

THE SENATE.

Tuesday, March 2, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

TRANSCONTINENTAL OPERATIONS.

INQUIRY.

The notice of motion being called:

Hon. Mr. DAVID inquired:

What sections of the Transcontinental railway between Quebec and Cochrane have been operated since its construction and are now operated?

Hon. Mr. LOUGHEED—The following information has been received from the Chief Engineer of the Transcontinental railway:

1. Last winter, from December 1 to May 1, the line was operated from Hervey junction, mile 72, west of Quebec, to Division Point Parent, mile 245 west of Quebec.

This winter, the line is being operated from Cochrane east to a point known as Peter Brown Creek, 143 miles.

COMMERCIAL AND FINANCIAL INTERESTS BILL.

MOTION.

Hon. Mr. LOUGHEED moved:

That it is expedient, in pursuance of the provisions of section 4 of the Act assented to on the twenty-second day of August, 1914, intituled: "An Act to conserve the Commercial and Financial Interests of Canada," to continue in force the proclamation, in the form following, published on the fifth day of September, 1914, in the Canada Gazette.

George the Fifth, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To all to whom these presents shall come, or whom the same may in any wise concern, —Greeting:

A Proclamation.

E. L. Newcombe,

Deputy Minister of Justice, Canada.

Whereas in and by section 4 of an Act of the Parliament of Canada passed in the fifth year of Our Reign and intituled "An Act to conserve the Commercial and Financial Interests of Canada," it was provided amongst other things that in case of war, invasion, riot or insurrection, real or apprehended, and in case of any real or apprehended financial crisis, our Governor in Council might by proclamation published in the Canada Gazette:

(a) authorize the making of advances to the chartered banks and to the savings banks to which the Quebec Savings Banks Act, 1913, applies, by the issue of Dominion notes upon the pledge of securities, deposited with our said minister, of such kind and amount as may be approved by the Treasury Board; such advances to be repayable at such times as the board may determine with interest at a rate likewise determined by the board of not less than five per cent per annum;

(b) authorize the chartered banks to make payments in the bank notes issued by such banks instead of in gold or Dominion notes, but the total amount of the notes of any chartered bank in circulation at any time shall not exceed the amount of its notes issuable under the provisions of the Bank Act and of the next clause (c);

(c) authorize the several chartered banks to issue excess circulation, from and including the first day of March in any year, to and including the last day of August next ensuing, or during any part of such period, to amounts not exceeding fifteen per cent of the combined unimpaired capital and rest or reserve fund of the respective banks, as stated in their respective statutory monthly returns to our said minister for the month immediately preceding that in which the additional amount is issued;

(d) suspend the redemption in gold of Dominion notes,—

Now know ye that by and with the advice of Our Privy Council for Canada we do by these presents proclaim and direct that by and on the date of the publication of this our proclamation in the Canada Gazette, the said Orders in Council shall be revoked; and we do further by these presents declare and proclaim as follows that:—

(a) the making of advances to the chartered banks, and to the savings banks to which the Quebec Savings Banks Act, 1913, applies, by the issue of Dominion notes upon the pledge of securities as provided in the said Act, be authorized;

(b) the chartered banks be authorized, subject to the provisions and limitations set forth in the said Act to make payments in the bank notes issued by such banks instead of in gold or Dominion notes;

(c) the several chartered banks be authorized to issue excess circulation as in the said Act defined from and including the first day of March, 1915, to and including the last day of August, 1915; and

(d) the redemption in gold of Dominion notes by the Receiver General of Canada be suspended subject to the provisions of the said Act from the date of the publication of this our proclamation in the Canada Gazette.

Of all which our loving subjects and all others whom these presents may concern, are hereby required to take notice and to govern themselves accordingly.

In Testimony Whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. Witness, Our Most Dear and Entirely Beloved Uncle and Most Faithful Counsellor Field Marshal His Royal Highness Prince Arthur William Patrick Albert, Duke of Connaught and of Strathearn, Earl of Sussex (in the Peerage of the United Kingdom), Prince of the United Kingdom of Great Britain and Ireland, Duke of Saxony, Prince of Saxe-Cobourg and Gotha; Knight of Our Most Noble Order of the Garter; Knight of Our Most Ancient and Most Noble Order of the Thistle; Knight of Our Most Illustrious Order of Saint Patrick; one of Our Most Honourable Privy Council; Great Master of Our Most Honourable Order of the Bath; Knight Grand Commander of Our Most exalted Order of the Star of India; Knight Grand Cross of our Most Distinguished Order of Saint Michael and

Saint George; Knight Grand Commander of Our Most Eminent Order of the Indian Empire; Knight Grand Cross of Our Royal Victorian Order; Our Personal Aide-de-Camp; Governor General and Commander-in-Chief of Our Dominion of Canada.

At Our Government House, in our City of Ottawa, this third day of September, in the year of Our Lord one thousand nine hundred and fourteen, and in the fifth year of Our Reign.

By Command,

P. Pelletier,

Acting Under-Secretary of State.

He said: At the last session of Parliament an Act was passed entitled "The Finance Act of 1914." In that Act the following powers, amongst others, were given to the Governor in Council—authority to make advances to chartered banks and to savings banks by the issue of Dominion notes upon the pledge of securities of such kind and amount as may be approved by the Treasury Board; authority to the chartered banks to make payments in bank notes issued by such banks, instead of in gold or Dominion notes; authority to the several chartered banks to issue excess circulation within a particular period of the year. Powers were also given to suspend the redemption in gold of Dominion notes; power was also given to proclaim a moratorium. Under subsection 5 of section 4 of the Finance Act it was provided that:

No proclamation issued under the provisions of this section should continue in force for more than 30 days after the beginning of the first session of Parliament held after the issue thereof unless it is approved by resolution passed by both Houses of Parliament.

The Governor in Council, in pursuance of the powers vested by the Act, issued a proclamation along the lines of the powers so vested. Those powers have been invoked to some extent, particularly by the chartered banks. Up to the 31st of January last the Government advanced to the chartered banks $14,400,000 in Dominion notes. Of that amount there has since been repaid to the Government $6,500,000, leaving $7,900,000 yet owing. Under the provisions of the Finance Act this amount is to be paid by the first day of May next.

The security required by the Act has been taken by the Government from chartered banks. The loans bear interest at the rate of 5 per cent. It has been thought advisable that this proclamation which has been issued by the Governor in Council, should be continued during the war. The vicissitudes of the war are such as to possibly require not only the exercise of the power, but the advantages which are provided for in the Act, so that the currency of the Dominion may enjoy that flexibility which is so highly necessary at this particular time.

Hon. Mr. BOSTOCK—I have listened with a good deal of interest to the statement of the hon. leader of the Government. He has not given us quite as much information as we would like to have. His statement refers only to the first subsection of the Act, dealing with advances of Dominion notes as authorized. He has not told us what the securities are which have been accepted by the Government for the authorization of these notes. Further with regard to the third subsection, the issue in excess of circulation by the banks, he has not told us whether that power has been exercised by the banks. We are all very glad to know that it has not been necessary in the interests of the country to deal with the question of the moratorium, and as it has not been included in the notice before us, I presume the Government does not consider, as far as the Dominion at any rate is concerned, that it is necessary to proceed with that. We have had notices from the Provincial Governments, and some of them have put a moratorium into effect, and some are dealing with the matter now, but I think it is a very doubtful question as to whether those moratoria were wise in the interests of the country.

Hon. Mr. LOUGHEED—I did not mention anything with reference to the third paragraph in clause 4, as mentioned by my hon friend, for the simple reason that it was unnecessary. No excess circulation has been issued by the banks. That power has not been invoked. The only power invoked has been the issuance of Dominion notes in the way indicated.

Hon. Mr. DAVIS—What interest is the bank paying the Government?

Hon. Mr. LOUGHEED—Five per cent as required by the Act.

Hon. Mr. CLORAN—What are the securities?

Hon. Mr. LOUGHEED—I cannot say what they are, but they are ample, and have been passed upon by the Treasury Board.

Hon. Mr. BELCOURT—What becomes of the provision with reference to the moratorium? What effect will the fact that it is not included in the renewal proclamation have?

Hon. Mr. LOUGHEED—No proclamation as to this has been made and if circumstances should warrant the Government proclaiming a moratorium under the extraordinary conditions that might arise, we might have power to do so, but at the present time there is no intention of doing so.

Hon. Mr. BELCOURT—Do I understand my hon. friend to say the moratorium is covered by this resolution?

Hon. Mr. LOUGHEED—No, it simply gives power to the Government to exercise the powers enumerated in the Act. There is a number of them.

Hon. Mr. POWER—I do not think the hon. gentleman has given us quite all the information that we should have had. Paragraph (a) reads as follows:

> (a) authorize the making of advances to the chartered banks and to the savings banks to which the Quebec Savings Banks Act, 1913, applies, by the issue of Dominion notes upon the pledge of securities, deposited with our said minister, of such kind and amount as may be approved by the Treasury Board; such advances to be repayable at such times as the Board may determine with interest at a rate likewise determined by the board of not less than five per cent per annum;
>
> (b) authorize the chartered banks to make payments in the bank notes issued by such banks instead of in gold or Dominion notes.

These are extraordinary powers, and I think the hon. gentleman should have made it clear that it was necessary that the Government should be authorized to do these things. As I understand, looking at the returns of the various banks that come in every month and are published every month, the banks appear to be in a most prosperous condition—large sums of money in their coffers, business good, liabilities less than before—and it does not seem to me that there is really any necessity for giving the banks control of more funds than the Bank Act allows. It would be a great deal better to let the banks go, as they are very well able to do without any help from the Government. I do not understand financial questions very well, but there is another matter I wish to refer to. I do not know whether it was under this proclamation or otherwise that the Government allowed certain parties to get into their debt to a very large amount. I think there were some ten million dollars loaned to the Canadian Northern Railway Company, and seven million to the Grand Trunk Pacific. We ought to feel sure when we are giving the Government power to do these things that that power will be exercised in a conservative spirit, particularly as this Government is supposed to be a conservative government.

Hon. Mr. KERR—Is there any reason why the class of securities and the amounts should not be laid on the table, when we are called upon for permission to continue a credit. Should we not be informed of the nature of the transaction up to the present time? I think it is the duty of Parliament to make this inquiry and ascertain what the facts are. We should be informed as to what use has been made of it; has it been used in general aid of the situation, or has it been by particular aid, or particular favours to certain banks? We ought to have that kind of information before dealing with this question.

Hon. Mr. BEIQUE—There is nothing very extraordinary in this power which is given to the banks under this resolution. That power exists in many countries, and it is simply doing what has been done by the Bank of England in England, the Bank of France in France, by the Bank of Belgium in Belgium, by the Bank of Russia in Russia, and by banks in numerous other countries which could be enumerated, and it is very safe legislation to put on the statute book as soon as possible. I may say I am connected with one individual bank, but I am not speaking for that bank, because that bank did not take advantage of that law, and has not borrowed money from the Government.

But I am in a position to appreciate the advisability of coming to the rescue of the banks in general, and enabling them to appeal to the Government, and obtain advances necessary for their requirements. No doubt it was the duty of the Government to see that the securities were absolutely good and sufficient securities, and I have no doubt that the Government has seen to that. As to the demand made by hon. gentlemen as to why the Government could not give the names and securities that were exacted, all that could be given would be the nature of the securities. It would not be suggested that it would be proper to ask that securities given by any individual bank should be published to the world at large. To do so would be a kind of breach of confidence on the part of the Government. The law passed was in the right direction, and it was necessary, in certain cases, to enable banks to continue the advances that have been made to their customers. The

hon. gentleman from Halifax stated that the banks are in good condition. Well, we should all rejoice at that, but it is perfectly well known from the returns as published, that deposits in general have been considerably reduced. It is also known that there is considerable stagnation in industry and commerce, and therefore that the banks cannot command the repayment of the advances that have been made as in normal circumstances. For these reasons it was necessary to have recourse to that special Act, and I have no hesitation in expressing the opinion, for my part, that the Government is to be commended for having put that Act on the statute book and in continuing it for another session; and I hope that when the time comes to amend it, the Government will see its way to create machinery which will enable them to have that system introduced in this country in a permanent way. As it is, all banks, even the strongest bank in the country, with the system of branches that have been introduced all over the country, and with the deposits that are collected for the purpose of enabling the banks to be able to advance the amounts necessary to industry and commerce, are exposed to runs; any bank may be exposed to the danger of coming to grief if a run is started against an individual bank. Other countries have systems which guard against things of that kind, because banks can go with undoubted securities to a state bank, or to a bank such as the Bank of England or the Bank of France, and can re-discount their securities or part of their securities, and therefore command the necessary amount of cash to answer all calls. In this country we have not that system. Happily we have secured it for a given period, and I hope that when the time comes it will be introduced in permanent form.

Hon. Mr. DAVIS—As far as the security is concerned that has been given to the Government, it is not necessary to press for a list of that, because we assume that the Government would not advance the money without proper security. However, the leader of the Government should have given us more information. If banks come to the Government and ask for a loan of ten million dollars or twelve million dollars or fourteen million dollars in Dominion notes, they surely must have some reason for wanting such a loan, but the leader of the House has not given us any of those reasons. My hon. friend from Halifax says that he finds from reading the bank reports that the banks are in good condition in this country, that they have large rest accounts, and that their coffers are full. I have not seen the amount in the Bank of Montreal with reference to the reduction of deposits that has been made in that bank; in the Bank of Montreal, at any rate, these deposits have not been reduced very much. Surely we ought to be in a position to get information as to why the banks asked the Government to lend them this money. If they did not need the money, why did they ask it. I am sure the banks are not lending any more money out in this country. The best business men in the West cannot go to a bank and borrow five cents, no matter what security they have; and yet banks can come to the Dominion Government and borrow 12 millions or 14 millions, and not lend a cent to the business men who are doing legitimate business all over the country, or to the farmers. I would like a little explanation as to what they got this money for.

Hon. Mr. CLORAN—Oh, a little fringe.

Hon. Mr. DANDURAND—The question was put as to the reason why the right taken by the Government to proclaim a moratorium was not being renewed by the resolution proposed by my hon. friend. I find the reason a very simple one—that the resolution has for its purpose the confirming of the proclamation which has been issued, and as no moratorium has been proclaimed, so far, there is no necessity at this moment to ask for a confirmation, though the right still remains with the Government to proclaim a moratorium. I hope that no necessity will arise for such proclamation.

Hon. Mr. CLORAN—I am not rising to discuss the merits of the resolution, but simply to point out to the Government of the day when hon. representatives of the people put questions to the Government, there should be at least an effort made by the Government to answer them, so that very serious questions put by hon. senators on the floor of this House should not be treated with silence, if not with contempt. I am not referring now especially to the present representative of the Government in this House, but the Government must be made to understand that when fair questions are put fair, honest answers must be given. The proposition made by the hon. senator from Alberta (Hon. Mr. Davis) is a very fair one. He does not dis-

pute the fact that 14 millions have been granted, but he asked the Government a very plain question, as has also the hon. senator from Toronto (Hon. Mr. Kerr) on what grounds were those 14 millions advanced to the banks? Yet we have no answers. The Government of the day should consider it its simple duty to answer plain questions like this.

The motion was agreed to.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Wednesday, March 3, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

IMPORTATION OF CRUDE OIL INTO CANADA.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. Crude oil coming into Canada—what duty will it pay under the war tariff?
2. If so, how will the value be calculated? On the shipping price or selling price in Canada?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. Crude petroleum, fuel and gas oils, .8235 specific gravity or heavier, at 60 degrees temperature will pay under war tariff 5 per cent ad val. under preferential; 7½ per cent under general tariff.

2. On price as sold for home consumption at place of direct export to Canada.

TARIFF ON AMMONIA SULPHATE.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. Under the war tariff will ammonia sulphate pay?
2. If so, how much?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. Yes.

2. Five per cent under preferential tariff; 7½ per cent under general tariff.

Hon. Mr. CLORAN.

IMPORTATION OF FUEL OIL INTO CANADA.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. What quantity of fuel oil was imported into Canada during the years 1911, 1912, 1913 and 1914, respectively?
2. What was the value of said oil in each of these years?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. During the fiscal years ended in 1911, 1912, 1913 and 1914 respectively, "Petroleum crude, fuel and gas oils, .8235 specific gravity or heavier at 0 degrees temperature," as provided for under tariff item 267, 1911, 54,310,597 gal.; 1912, 72,231,006 gal.; 1913, 143,338,070 gal.; 1914, 177,879,835 gal.

2. 1911, $1,626,141; 1912, $2,270,374; 1913, $4,531,281; 1914, $5,994,318.

BRITISH COLUMBIA INDIAN RESERVES COMMISSION.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

Has the commission appointed in 1912 to investigate the Indian reserves in British Columbia completed its work?

1. If so, has any report been made to the Government?
2. What is the nature of the report?
3. What has been the cost to the Dominion Government to date?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

The Commission has not completed its work.

1 and 2. Progress reports have been received, and seventy-seven interim reports.

3. $108,802.03.

FEDERAL TRADE COMMISSION.

INQUIRY.

Hon. Mr. FROST rose to—

Draw the attention of the Government to an Act passed on the 26th September, 1914, by the United States Congress, entitled "An Act to create a Federal Trade Commission" and to inquire whether it is the intention of this Government to pass any legislation of a like character, to meet similar conditions existing in Canada, as existed in the United States and which provoked the adoption of the above Act.

He said: The Act to which I have called attention was passed by the Congress of the United States on the 26th of September last and is now a law entitled "An Act to Create a Federal Commission."

My reason for the inquiry is simply to ask this Government whether they have any intention of creating a Dominion Trade Commission to meet similar conditions in Canada. The necessity for commissions now-a-days is at once conceded for the reason that business generally has become so complex, that with the growth of the country, it is impossible for the Treasury Board to give them as much time as would meet all the situations as they came up. We know what the Railway Commission has done and I believe there is not a person in Canada found unwilling at this moment to pay all the necessary costs which it incurs.

In looking over the latest census for 1911, I find that the manufacturing interests of the Dominion has $1,247,583,609 invested, and that 19,218 persons are engaged in the work of manufacture, producing $1,165,975,635 worth of products and employing 515,203 persons, paying in all for wages and salaries $241,008,416. This is a very large interest to be dependent altogether upon half a dozen Ministers of the Crown, and it may possibly be shown that with such an enormous amount of money invested, with all its ramifications, and such a valuable and essential asset as it is to the Dominion of Canada, it ought to have a commission of the very best men to be found so as to see that no injustice or unfairness is done between buyer and seller and between capital and labour and with business going on for the benefit of the people as a whole throughout the Dominion.

The first recommendation in the United States to secure the results now sought to be achieved through the Federal Trade Commission, appears to have been made in 1900 and which reads as follows:

> The larger corporations—the so-called trusts—should be required to publish annually a properly audited report showing in reasonable detail their assets and liabilities, with profit and loss; such reports and audit under oath to be subject to Government inspection. The purpose of said publicity is to encourage competition when profits become excessive, thus protecting consumers against too high prices and to guard the interests of employees by a knowledge of the financial condition of the business in which they are employed.

Their final report had also the following, to wit:

> That there be created in the Treasury Department a permanent bureau the duty of which shall be to register all state corporations engaged in interstate or foreign commerce; to secure from such corporations all reports needed to enable the Government to levy a franchise tax with certainty and justice, and to collect the same; to make such inspection and examination of the business and accounts of such corporations as will guarantee the completeness and accuracy of the information needed to ascertain whether such corporations are observing the conditions prescribed in the Act and to enforce penalties against delinquents; and to collate and publish information regarding such combinations and the industries in which they may be engaged, so as to furnish to the Congress proper information for possible future legislation.
>
> The publicity secured by the governmental agency should be such as will prevent the deception of the public through secrecy in the organization and management of industrial combinations or through false information. Such agency would also have at its command the best sources of information regarding special privileges or discriminations, of whatever nature, by which industrial combinations secure monopoly or become dangerous to the public welfare. It is probable that the provisions herein recommended will be sufficient to remove most of the abuses which have arisen in connection with industrial combinations. The remedies suggested may be employed with little or no danger to industrial prosperity and with the certainty of securing information which would enable Congress to protect the public by further legislation if necessary.

In view of the passage of this Act, which has now become law and providing for it, the excerpt from the platforms of the different parties who sought the suffrages of the people at the last presidential election are very interesting, for example the Democratic party said:

> A private monopoly is indefensible and intolerable. We therefore favour the vigorous enforcement of the criminal as well as the civil law against trusts and trust officials, and demand the enactment of such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States.
>
> We favour the declaration by law of the conditions upon which corporation shall be permitted to engage in interstate trade, including, among others, the prevention of holding companies, of interlocking directors, of stock-watering, of discrimination in price, and the control by any one corporation of so large a proportion of any industry as to make it a menace to competitive conditions.
>
> We condemn the action of the Republican administration in compromising with the Standard Oil Company and the tobacco trust, and its failure to invoke the criminal provisions of the anti-trust law against the officers of these corporations after the court had declared that from the undisputed facts in the record, they had violated the criminal provisions of the law.
>
> We regret that the Sherman anti-trust law has received a judicial construction depriving it of much of its efficacy, and we favour the enactment of legislation which will restore to the statute the strength of which it has been deprived by such interpretation.

At the Republican National Convention, the following was declared by its last platform:

> In the enforcement and administration of Federal laws governing interstate commerce and enterprises impressed with a public use

engaged therein, there is much that may be committed to a Federal trade commission, thus placing in the hands of an administrative board many of the functions now necessarily exercised by the courts. This will promote promptness in the administration of the laws and avoid delays and technicalities incident to court procedure.

While the Progressive Platform had this to say, on behalf of the Federal Trade Commission:

To that end (protection against trusts and monopolies) we urge the establishment of a strong Federal administrative commission of high standing, which shall maintain permanent active supervision over industrial corporations engaged in an interstate commerce, or such of them as are of public importance, doing for them what the Government now does for the national banks, and what is now done for the railroads by the Interstate Commerce Commission.

Later on in January, 1914, or a little over a year ago, the President made to the Congress, the following statement which no doubt gave a certain impetus to this Act, which I have already stated became law on the 26th of September last:

The opinion of the country would instantly approve of such a commission. It would not wish to see it empowered to make terms with monopoly or in any sort to assume control of business, as if the Government made itself responsible. It demands such a commission only as an indispensable instrument of information and publicity, as a clearing house for the facts by which both the public mind and the managers of great business undertakings should be guided, and as an instrumentality in adjusting the remedy to the wrong in a way that will meet all the equities and circumstances of the case.

It would appear to me from these facts that this is what is needed in Canada to settle many disputes as they occur between capital and labour, no one will deny that there is price cutting preferential contracts on machinery used for manufacturing purposes or goods used in the manufacturing process, black lists, white lists, boycotts, espionage, coercion and intimidation. These evils have been before Congress at different times, but apart from references to their character as unfair practices, nothing so far as I know, has been done. However the commission has power given to this Act to gather and compile information respecting organization of business, conduct, practices, and management of those engaged in local or foreign commerce, in all cases except banks or railways. And while it is authorized to investigate trade conditions in foreign countries there are many other provisions made to provide for the complete carrying out of the Act in question. Like the Railway Commission, those who are appointed shall have salaries, and a secretary, and other employees will be appointed under the Dominion services. In the United States where they have found a Bureau of Corporations or the workings of the Sherman Act deficient, and where, after all, monopoly has had full sway, this law would take its place giving to commission sufficient power to prescribe the penalties which are given for the evils dealt with. The United States have felt perhaps more than in Canada, the effect of a great many conspiracies in the past and to avoid these things in the future, it is to be hoped that this Act will meet the case for all parties and give a more cheerful aspect than it ever has before seen in days gone by.

In the World's Work, February number, referring to this Act, it practically assumes that all business is public for it gives the commission power to investigate and regulate, whether it be public or private. The aim of the regulation and investigation is to see that competition is fairly carried on. Therefore all activities of the commission can unquestionably facilitate both and get a more speedy decision in cases than could be obtained otherwise in any other way.

While we have many Labour Acts on our statute books designed to settle industrial disputes, as for instance, the Lemieux Act and others, none of them strike at the root of the trouble as would be done by a Dominion commission for very obvious reasons.

I hope therefore that the time is near when such a commission will be constituted and appointed, and I am sure it will not only meet the expectations of the people, but redound to the credit of the Government, by whom such appointment is made.

Hon. Mr. LOUGHEED—The legislation which has been referred to by my hon. friend is quite new, and has been only recently passed in the United States. I might say that such a commission will be largely experimental, and I have no doubt that we in Canada will watch with very considerable interest the operation of this experiment in the United States. Up to the present time the scope of the work which has been outlined for this commission has largely, if not altogether, been vested in the Department of Trade and Commerce. That department has very largely covered the duties which apparently will be assigned to the Federal Trade Commission in the United States. I might say to my hon. friend that we are very much indebted to him for directing our attention to this very important subject, and I shall be very glad

indeed to direct the attention of the Government to the very fitting remarks which he has made; but speaking in regard to any intended action by the Government at the present time the Government has no intention of seeking any legislation similar to that to which he has alluded. We, however, will watch, with very considerable interest, the manner in which it will work out in the United States.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

Hon. Mr. POWER moved:

That the Committee on Internal Economy and Contingent Accounts have power, without special reference from the House, to consider any matter affecting the Internal Economy of the Senate, as to which His Honour the Speaker is not called upon to act by the Civil Service Amendment Act, 1908, and such committee shall report the result of such consideration to the House for action.

He said: Under the practice as it existed up to a few years ago, this resolution would not be necessary, but at the present time, when the hon. leader of the Government has moved and carried the adoption of the report of the Striking Committee, he moves that the several committees shall inquire into and report upon such matters as may be referred to them from time to time. Adhering closely to the wording of that resolution, the Committee on Internal Economy could not do anything, because the matters with respect to the internal economy of the House, the supplying of stationery, and other things of that sort could not be attended to unless they were specially referred by the House; and last year we adopted a resolution in order to get over that difficulty, which, it will be observed, is more sweeping in its terms than the resolution of which I have given notice. The resolution passed last year reads as follows:

That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary, and without special reference to inquire into and report on such matters connected with the internal economy of the Senate as it may think in the interest of the House.

Hon. gentlemen will see that the resolution which is now submitted is less sweeping in its character. It contains this provision, that the committee can consider any matter affecting the internal economy of the Senate, as to which His Honour the Speaker is not called upon to act by the Civil Service Act Amendment Act of 1908 and such committee shall report the result of such consideration to the House for action. Speaking for myself and I think I can speak for the other members of the committee there is not the slightest desire to infringe in any way upon the rights, privileges, or sphere of duty of His Honour the Speaker, and inasmuch as the committee have to report the result of their deliberations to the House, no one can be hurt.

The SPEAKER—I do not intend to declare this motion carried before calling attention to the fact that last year a similar motion, although the present motion is not so stringent, was by me declared out of order, because it was calling the House to pronounce itself a second time during the session on a question which had been decided in one sense, and asking a decision in another sense. I simply call attention to this fact, and though the present motion is manifestly out of order, as no one object to it. I declared it carried.

The motion was agreed to.

COMPANIES INCORPORATION ACT AMENDMENT BILL.

SECOND READING POSTPONED.

The order of the day being called:

Second Reading (Bill A), "An Act to amend An Act incorporating Companies."—(Hon. Mr. Domville.)

Hon. Mr. CLORAN—I am not the father of this Bill. I have been asked by the hon. gentleman who introduced it to see to its procedure through the House. I regret to say that the hon. gentleman is unable to be here to look after this Bill. The Bill contains principles which are under consideration now by the proper department of the Government of Canada. Under these circumstances, I do not feel called upon, or prepared to advocate the passage of the Bill at the present moment, and I ask as a favour not to myself personally, but to the hon. senator who is the father of the Bill, to have it dropped from the order paper to-day and placed on the order paper for to-morrow week so as to give me time to get into communication with him and acquaint him with the condition of things. I understand the Bill is considered very important. I therefore move with the permission of the House that the order of the day be dis-

charged and that it be placed on the orders of the day for Thursday, March 11th.

The motion was agreed to.

BUSINESS OF THE SESSION.

MOTION.

Hon. Mr. BOSTOCK—Before the motion of adjournment is put I would like to draw the attention of the hon. leader of the Government to the condition of business in this House. We seem to have very little business before us, and our hon. friend should give us some idea of what business the Government proposes to put before this House for discussion. Parliament met on the 4th of February, and to-morrow it will be a month since we commenced business, yet, so far, we have had no Government measures brought down to this House for our consideration. I am sure hon. gentlemen on both sides of the House are very anxious to do all they can to give proper and earnest consideration to the measures the Government wish to put before us for the benefit of the country, and we would like to have those measures brought down as quickly as possible.

Hon. Mr. CASGRAIN—Before the hon. leader of the Government replies, might I remind him that, for many sessions back, it has been the practice to give notice at the beginning of our regular sittings, that until otherwise ordered, when the Senate adjourns on Friday it should stand adjourned until Tuesday at 3 o'clock.

Hon. Mr. LOUGHEED—I presume that this is the moment when I have to make the usual sessional statement as to the regrettable position in which the Government is placed, of not being able to furnish the Senate with work. Very fortunately, conditions furnish an excuse from session to session, so that one can always find something to say or some reason to advance why we are not kept continuously engaged. This session, as hon. gentlemen know, is one in which both war and financial measures will absorb the entire time of Parliament, and that no general legislation is being brought down. In the very nature of things it is difficult to furnish an active and energetic body like the Senate with work for every day of the session.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—I am glad to say, however, that I have been holding in reserve the very important question that has been just asked by my hon. friend in regard to the Tuesday adjournment. In the event of the Government not being able to furnish the Senate with more important legislation there is always this question to discuss—the adjournment from Friday until Tuesday. I am sorry that my hon. friend the leader of the Opposition omitted to consider that very important subject, and that it lay with my hon. friend from Montreal to suggest it. Now, the precedent which we had invariably followed in the Senate as to this Tuesday adjournment has been to throw the responsibility on gentlemen who live in Montreal, or Toronto, or at intermediate points—so that I most willingly place that responsibility upon the shoulders of those hon. gentlemen, and I have no doubt that before Friday next we will hear from them by way of a notice of motion.

Hon. Mr. POWER—I think the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain) misses sight of the fact that there is other business for the Senate to transact besides the measures which the Government send up from the other House. To-morrow at least three committees of the Senate will meet for the transaction of business, and that business has to be transacted, and I think we shall really find, after to-morrow, probably enough to do in dealing with the business in this House without troubling ourselves as to the Government measures just now. They will come, in due time, and I have no doubt they will receive most impartial and favourable consideration in this House. I do not, however, object to the adjournment until Tuesday.

Hon. Mr. DANIEL—I might remind hon. gentlemen that while we are speaking of having nothing to do the package of Bills on my desk is increasing rapidly all the time; I do not think we have dealt with any of them as yet.

Hon. Mr. DANDURAND—Are they Commons Bills?

Hon. Mr. DANIEL—Commons Bills.

Hon. Sir MACKENZIE BOWELL—With reference to the number of Bills to which the hon. Senator from St. John (Hon. Mr. Daniel) has called attention, if the newspaper reports are correct the Minister of Justice has intimated his intention of introducing a Bill to extend all the applications for railway charters. Now, the most of the Bills that I have seen coming from the Commons are of that character, and if this Bill is to

be introduced it will lessen our work to a very great extent.

Hon. Mr. TAYLOR—It has been introduced.

Hon. Sir MACKENZIE BOWELL—I have not yet seen it, to know what it is. One thing I may add, that if the Government have themselves undertaken the responsibility of extending the time for the commencement and construction of those railways, they are depriving the revenue of a good deal of money, because each of these companies would have to pay a couple of hundred dollars to get a renewal, whereas a public Bill to extend the whole of them would cause the loss of that amount of money.

Some hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I understood the hon. gentleman from Halifax to say that a large number of Bills had been introduced that would come up for consideration. That is quite true, but if we are to be deprived of the privilege of dealing with all these railway extensions, of course there will be very little for us to do other than to deal with the important questions which have been submitted by the Government, which concern tariff and the finances of the country more than anything else.

Hon. Mr. CASGRAIN—I move, seconded by the hon. senator from Belleville (Hon. Mr. Corby) that, pending further orders, when the Senate adjourns on Fridays it do stand adjourned until Tuesday at three o'clock.

The SPEAKER—That motion cannot be put, unless the hon. leader of the House withdraws his motion to adjourn.

Hon. Mr. LOUGHEED—I withdraw my motion.

The SPEAKER—Then the question is on the motion of the hon. senator from De Lanaudière (Hon. Mr. Casgrain).

The motion was agreed to.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Thursday, March 4, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

DISCONTINUANCE OF TRANSCONTINENTAL TRAINS.

MOTION.

Hon. Mr. DAVID moved:

That an humble address be presented to His Royal Highness the Governor General; praying that His Royal Highness shall submit to this House copies of all petitions to the Government or any member of the same, and of all correspondence and documents in connection with the discontinuation of the trains of the Transcontinental between Abitibi and Hervey Junction.

He said: This motion has been placed on the orders of the day for Wednesday next by an error, and my notice of motion regarding the development of agricultural resources of Canada has been placed on the order paper for to-day. These two motions should have been reversed, and with the permission of the House I will now deal with the motion regarding the discontinuance of the trains of the National Transcontinental railway between Abitibi and Hervey Junction.

Hon. Mr. DANDURAND—Do I understand that this notice of motion, which is set down for Wednesday next, was really moved for to-day?

Hon. Mr. DAVID—Yes. This question has created a good deal of sensation, especially in the province of Quebec. There is no doubt that when the mandate of Parliament to vote millions of money for the construction of the Transcontinental railway was given, it was thought that the entire line would be completed and operated. A large section of that line between Cochrane and Quebec, or Hervey Junction, which has been constructed and put into operation has been discontinued for the last six or seven months, to the great detriment of the trade, commerce, and agriculture of that region, and to the great injury of those who have settled in that district and placed their money in certain industries there. There is no doubt that a large number of the members of Parliament would not have voted for the construction of that line if it had not been stipulated, and if the Government had not consented to have that part of the line between Cochrane and Quebec, or Hervey Junction built and operated. It would be very easy to establish that fact by quoting the speeches that were made at that time by members of the Government, and members of the House, but I shall quote the declarations made by the Postmaster General, when he laid his candidature before the electors of the county

of Quebec in the month of October last.

He was a member of the Commons in 1903 when the Transcontinental Bill was introduced into the House, and when it was stated that the promoters of the railway had intended to construct the line as far as North Bay only, a great many of the members from the province of Quebec and the Maritime Provinces, protested, and said they would never consent to have that money voted for the construction of the Transcontinental railway if it were not provided that the line between Cochrane and Quebec would be built. It was to be built and it was to be operated. The hon. minister said, as reported in the papers at the time, that Quebec had now the Transcontinental railway and the bridge, but that was not enough, as Sir Robert Borden had said that Quebec must be made a national highway. The line between Cochrane and Quebec was to be built not only to bring the western trade to Quebec, but also to the lower province ports, St. John and Halifax, and to develop that rich and important region. This also was the idea enunciated by the officers of the Board of Trade of Quebec in the interview which they had with the Hon. Mr. Casgrain in October last when, after being appointed Postmaster General, he came before the electors. The president of the Board of Trade said that the minister would pardon them for troubling him so soon after his appointment, but the matter in question was one which called for an immediate decision, because 2,000 new settlers who had been induced to take up land on the line of the Transcontinental railway west of Quebec, at Belle River and other points on that railway, from 50 to 450 miles west of Quebec, and who had founded a flourishing settlement on land of the very best quality, now found themselves in a very perilous position. They had been informed that the Grand Trunk Pacific was not ready to assume the operation of the railway until next spring, that it was intended to close the road for the winter months, and already some of those settlers had taken fright and left the country, as they had no other means of transportation than the railway. Mr. Picaud said that this would have a disastrous effect on future colonization, so important for the traffic of the railway, and which already had shown so promising a commencement, and that it would look very strange for the Government, after first spending $30,000,000 or $40,000,000 on the road from Cochrane to Hervey Junction, to close it up and allow it to fall into disuse. He said that Quebec had a very vital interest in this question, because of the numbers of new settlers which had gone from the district of Quebec, and wanted to do business with that city. He said that those new settlers would make pulp-wood and telegraph poles and other freight for the railway, if allowed to remain there. The reason given by the hon. Postmaster General not to acquiesce in the demands of the Board of Trade of Quebec and of the settlers in that region was that the operation of the railway, on that part of the line, would cost too much and was not necessary. The Board of Trade met the objection as follows:

> The statement of the hon. the Postmaster General is contrary to the opinion generally held in this province as to the extent and value of the lumbering operations in the St. Maurice Valley, of its vast water-powers, costly industrial establishments, valuable forests, and in certain localities land suitable for settlement, but we cannot help thinking that the Minister of Railways must have been wrongly advised in the information given to him as to this country.

The following extract from a letter published in the press from Mr. Authier, Mayor of Amos and agent of colonization for the district of Quebec, shows that the hon. the Minister of Railways must have been wrongly advised, as alleged by the Board of Trade of Quebec. I quote his letter, and I want to call the attention of the hon. gentlemen of this House to it, because it contains facts which cannot be denied, facts which have been admitted by public men in many circumstances:

> Since the month of November, there are no more trains on the Transcontinental, between Hervey Junction and Quebec or Abitibi. The country therefore beholds this spectacle: a railroad which has cost more then one hundred millions, is closed just as soon as it is completed. These millions are left to rust.
>
> What is the reason? Because, says the minister, the operating of the entire section between Hervey Junction and Cochrane would result in a deficit of from $40,000 to $50,000 a month.
>
> A competent contractor led me to believe that he would have a weekly service, on this section, during six months, for $100,000 or less than $20,000 a month.
>
> The construction of the railway is terminated It is in the hands of the Government, which has all the necessary outfit for its operation, the Intercolonial's outfit.—Why, therefore, did this Government not undertake the transportation of forestry products from Abitibi to Hervey Junction, at rates sufficiently low to allow traffic of the same. What would have been the result if the lumber and wood of Abitibi had been carried to Hervey Junction at $2.50 a cord or $2.50 per thousand feet.
>
> The result would have been,—for Abitibi only,—the transportation, before the 1st of June, next, of 30 or 40 thousand cords of pulpwood, of two million feet of lumber and of

thousands of passengers with their provisions and their baggage.

Add to that the revenue of the country between Hervey Junction, La Tuque and Parent, where powerful companies employ thousands of men in their shanties. In a word, the receipts, even computed at exceedingly low rates, would have reached $200,000.

But it is very simple. There are 1,500 lots allotted to settlers in Abitibi. They are anxious to begin or to increase their clearings. There are waiting for only that,—a train service which will allow them to export their wood. Should only 30 cords of wood have been cut on each lot,—a settler cuts that much in a month,—and we would have had 45,000 cords to ship. As the year is excellent for the pulp industry, every cord would have been sold.

If the minister had yielded to our requests, there would have been, this winter, work for thousands of men in Abitibi and all along the Transcontinental, instead of stagnation and hard times which exist there to-day. In the spring there would have been thousands of acres of newly cleared land. When we know that what is most important in that region, is immediate and extensive clearing, in order to ensure progress of agriculture and the paying operation of this section of the Transcontinental, we are astounded to see what a splendid opportunity has been lost.

I have just received another letter from Mr. Authier written on the 26th February. It is written in French, and I shall quote only a few words:

Nobody will question, I believe, the facts that I have put before the public. Nothing has been done since to assist us. It is vaguely rumoured that the Federal Government will again hand over the Transcontinental between Cochrane and Quebec to the contractors next spring. That would mean the continuation of our actual trouble, so to speak. There would be three or four services—three or four divisions. I mean—on that section. Passengers would be obliged to change trains very often, and by the time each contractor has exacted his pound of flesh there will be hardly anything left to the colonist who wishes to settle in the forest of Abitibi. If it is intended to thus have the road operated by contractors this summer, a direct service ought to be established without interruption between Hervey Junction and Abitibi. As I was saying the Transcontinental railway was closed this winter between Hervey Junction on the Canadian Northern railway and Amos on the Harricana in the centre of Abitibi in Quebec, a distance of over 350 miles.

It is from 600 to 700 miles from Cochrane to Quebec.

Hon. Mr. CASGRAIN—I think between 400 and 500 miles.

Hon. Mr. DAVID—No, from Cochrane to Quebec is about from 600 to 700. The figures given by Mr. Authier disposed of the objection made by the Minister of Railways, and showed that there was no serious reason to discontinue the operation of the railway between Abitibi and Hervey Junction; and even in the supposition that there would have been a deficit, it was nothing as compared to the evil done by the suspension of the operation of the line, to the great detriment of the agricultural, commercial and industrial interests of that rich country, in a time when so much is said about the necessity of increasing agricultural production among our rural population. I cannot understand the conduct of the Government in this regard. It looks as though the intention of the Government was to ruin that section of the line, to make it only a local line, to remove from it its transcontinental character, contrary to the object which the promoters had in view, to the will of Parliament, and to the views so often expressed by our public men on the necessity of directing our trade to transcontinental ports. It is not only a breach of contract, but it is a breach of the obligation assumed by Parliament; it will not only divert trade towards the United States, but will do the greatest harm to the settlement and progress of that rich portion of our country. It will discourage the settlers—and this is not a time in which they should be discouraged. All the settlers of that district have relied upon the continuous operation of the Northern Transcontinental, and, hon. gentlemen, think of those settlers who have very little money, who went there to establish themselves, feeling assured that the law passed by the Government would be put into execution; think of their fate with no railway to communicate with the principal towns of the country. Already it is said that a great number of settlers have left that region of the country. No doubt they must go. Notwithstanding the ability of the hon. leader of the House, I do not see how he can justify the Government in such a dereliction of its duty. I hope, and the whole country hopes, that the Government will not transfer the Northern Transcontinental to the Grand Trunk without compelling that company to act in accordance with its contract, according to the intention of Parliament, and in accordance with the interests of the country, so as to secure the trade of the West to our national ports. Let me finish by quoting the speech of Mr. Casgrain on the transportation question, when the National Transcontinental Railway Bill came before the House. The speech is more eloquent than anything I can say. He said:

In the Northwest we have, or are going to have in a short time, a great many roads—the Canadian Pacific railway, the Canadian Northern, and probably the Trans-Canada and the Grand Trunk Pacific—all supplying the needs of that vast territory and bringing to the

seaports of the East the crops which grow there. In the face of this state of things, is it not a patriotic duty laid on the shoulders of the Government and also upon the members of this House to see, as far as possible, that we have every benefit we can get from the hauling of the grain from the Northwest down through the eastern portion of the Dominion of Canada? I am a strong believer in a policy which would force, as much as nature would permit, every bit of the grain produced in the western provinces to come down through Canadian territory and help to build up our seaboard towns on the Atlantic and on the St. Lawrence river.

Those were the views of all Canadian public men at that time. The question of transportation has always been considered a national one, and it has always been considered that we are obliged to encourage our national ports. Mr. Casgrain was a member of the Opposition at that time, and he was speaking to the Liberal party. That was in 1903, and what was true then is still true. He concluded his speech as follows:

Hon. gentleman opposite, I am convinced, desire as strongly as we to see our own ports built up, but, judging by the experience of the past, if our western traffic should become diverted to American ports, it will be exceedingly difficult to bring it back into Canadian channels and Canadian ports, either on the Atlantic or the St. Lawrence river. Some time ago we were told by a gentleman of undoubted authority in railway matters that our spouts were too small for our hopper. Well, now is the time, Mr. Speaker, when we should enlarge our ports on the St. Lawrence and Atlantic coast. Now is the time when we should make our spouts sufficiently large to receive and to distribute everything that comes from the West. Now is the time to provide means for bringing the enormous products of the West to our town ports.

These are eloquent words, but now is the time to show that they are not merely words.

Hon. Mr. CLORAN—I have very seldom listened to a speech in this honourable House that has appealed to me more profoundly and more sincerely that that of the senator who has just resumed his seat. I suppose this is due to the fact that I am in a position to endorse every word that he has stated, and every word stated by the authorities of the district in favour of the people whom they represent. I know the facts, because I passed through the district. The hon. senator has touched a most vital spot in the administration of the public affairs of this country, especially under the control and command of the Railway Department. This country of ours depends on honest toil represented in hardy, strong colonization, and there is nowhere in Canada—probably on the face of this whole earth—where more hardy and honest colonization is performed, against the most rugged difficulties, than in the province of Quebec. The province of Quebec stands out, an illustrious star, in paving the way to civilization. Her sons three or four hundred years ago, and up to to-day have hewn down immense forests, have made the deserts bloom, and the sand hills bear fruit. That has been the work of the French colonizer in the history of Canada. Nowhere on earth has a man to face so much difficulty in securing a foothold on the soil, than in the province of Quebec—what is left of it now—in its mountains and in its gorges, and it is the hardy hand of the toiler that brings down the trees and burns the roots, and then sows and plants a few potatoes, and a little barley, and buckwheat. That is the beginning of colonization. Up to some few years ago the Provincial Government undertook to pay the expenses of the transportation of these products to domestic or foreign markets. When the country grew large, prosperous, and rich, it undertook to build railway systems, in aid of the farmers, who work and toil hard from three or four o'clock in the morning until 7, 8, 9 or 10 o'clock at night. This federal power, in alliance with the provincial powers, established a number of railway systems, where that product, obtained by so much hard work, was transferred to the provincial or federal market. The latest attempt along these lines was laid by the late Government of Right Hon. Sir Wilfrid Laurier. It was a tremendous task. Canada had already a vast, expansive Transcontinental railway system; another one was under way; the Government of the day undertook to give to the farmer, not only of the East, but of the West, a means whereby that hard-earned product would get a fair show, either in the home market or in the foreign market. It was a tremendous task for Canada with a paltry population of six and a half or seven million to undertake, but under the direction of Sir Wilfrid Laurier and his Government Canada took hold and endeavoured to push that railway from Halifax to Vancouver. The undertaking was applauded by the country; it was endorsed at least on one occasion at a general election, if not on two. The building of this Transcontinental railway—a hybrid, I am very sorry to say, the Government, not having undertaken it on its own initiative, but taking the poorer half and letting the richer half go to the country—was endorsed by the people of Canada. This is a matter which, according to the remarks of the hon. gentleman, works to the disadvantage of a large section of

Canada. The rich parts of the National Transcontinetal railway will be held by a private company, and the poorer parts will have to be operated by the Government. Already the Government is shirking its functions, and telling us it does not pay to run trains in the winter months, because there will be a deficit. The power or the Government that interrupts that train of products from the farmer to the home or foreign markets becomes an enemy to his country. There can be no justification to-day for any Minister of Railways, or Prime Minister in the present Government or any other government, to cut that railroad in pieces, and say that parts shall be operated, and other parts remain idle, and go into desuetude and rot. That is a crime against the state. It is a crime that this Parliament should prevent as quick as possible, and not allow the consideration of a few dollars deficit to intervene and prevent those poor hardy workers from getting their products to the market. This Parliament can vote millions and millions—will I say to schemes that are unprofitable? Some times they are; not at the moment when the money is voted; they are always made to look most profitable then, but how often does it turn out that the millions of this land are voted to schemes that are absolutely useless for national development. And here we have a Government who throws paralysis over certain sections of the road, forsooth, because there might be a deficit of $20,000 or $40,000 a month. Is that statesmanship? Is that protection for the tillers of the soil, and for the men who are the forerunners and pioneers of civilization, humble as they may be—poor men with a sack of flour on their back, an axe in their hand, fighting their way through the forest? For whom? Just the same as your fathers did; they fought for you; you are to-day along these rows of benches in the Senate, and most of your fathers were hewers of wood and drawers of water. And are we going to forget these circumstances and allow the Government of the day to trample upon its own institution, the Grand Trunk Pacific? This country owes a debt of gratitude to the senator from Mille Isle (Hon. Mr. David) for having brought this question up. Now as to facts along this line. Hervey Junction has been frequently mentioned; it was selected by the engineer, Mr. Hervey, as the connecting point between the Great Northern and the Grand Trunk Pacific running down to Quebec. The selection was about the best that could be obtained in that section of the country. When I went into that part of the country some eighteen years ago I found a vast mass of mountains—a sea of mountains, as Sir Edward Blake used to call British Columbia. There was wood, timber of the best, that lumbermen have been drawing for the past 100 years, and there is enough there for another 100 or a thousand years. When I went there in company with our Prime Minister of Quebec, Mr. Marchand, it was on a fishing expedition, and when we landed on lake Masketsy, 12 miles from Hervey Junction, over impassable roads, up and down mountains, I said to myself: "Thank God, we are away from civilization, and no railway will ever pass here anyhow." My prophesy held true until Sir Wilfrid Laurier came down with his Grand Trunk Pacific proposal, and what did my brave Mr. Hervey do? He went to work through the only pass from Montreal to Labrador that he could have got his train through. There is not the slightest doubt that this section of the road from Laroque to Hervey Junction, some 55 miles, is one of the best constructed on the hemisphere, but one of the most costly. Whole sides of mountains have been blown with one blast straight into the lake, millions and millions of tons. There are bridges on trestle-work going through the lake that are simply stupendous. The ballasting of the road was most perfect; the ties were of the best; the rails of the heaviest calibre; and to have it told to Parliament to-day by the senator from Mille Iles (Hon. Mr. David) that all that is going to rust—well. I say that is a crime against the National Treasury and is an outrage upon the people whom that road is supposed to serve. Is that not plain? I am not a bit excited over the matter, but I see it before me now, and coming back from Hervey to La Tuque, that is only 55 miles, the road is built 250 miles up to Cochrane—as the Senate calls it, Abitibi—one of the finest constructions in the world as far as railway construction is concerned. Why, you would be surprised, you men who travel thousands and thousands of miles every week and every month, to see the beautiful water tanks, not only beautiful but solid, with granite foundation, water self-pumped from the lakes a hundred or two hundred feet above them, no steam required, a perpetual supply of water—and all this going to waste. It cost money to

run the pipe up to the mountains for a mile and a half or two or three miles and have a perpetual supply of water from the upper lakes to the tanks along that railway. It would do your heart good to see them, but, my God, it would make your heart grow sorry to see them becoming useless, and now unused. Stations are built that would do credit to any first class station in England or France, and that is saying something; they are all rock, and all the stations are good hardwood, well painted, with beautiful platforms, fine baggage rooms, excellent comforts for station agents; but they are all locked, and cobwebs are beginning to grow on the windows. I have seen that for the past three years. Do you know why? Because there is a dispute between the contractor who built them—and no doubt he did his work splendidly—as to the value, or as to prices, but the passengers will have to remain on the platforms without shelter from rain or storm, from snow or heat, or have to stand on the track; and that is going on, to my own knowledge and experience, for the past three years. This country has to put up with that state of affairs, this Canada of ours, and especially Quebec, from which the senator from Mille Iles and myself come; but we will not put up with that without uttering a word of complaint. Do you think that the cry for pity, for mercy, for help, from the senator from Mille Iles is not well timed? It is late, it is a late cry. At Hervey Junction I have seen passengers numbering anywhere from two to three hundred, men, women and children, many of the ladies with babies in their arms, not only on one occasion but on dozens, and every day it was the same thing—waiting after they had come down from Cochrane and from La Tuque to make connections at Hervey Junction with the Canadian Northern. I have seen those citizens of Canada, I have seen those mothers with their babies in their arms, insulted by drunkards from the shanty. There was no protection for them; no police to look after them; and, of course, you will understand that men coming from the shanty very often are not responsible; but out of that two or three hundred it only took three or four men to create disturbances that were a disgrace to our administration, and to our respect of womanhood. And why? Do you know what was at Hervey Junction? A box car that had been derailed, that was unfit for pigs or for animals, and that was the station of the Canadian Northern for at least eight or ten years, as long as I have been going there. They had a better station eleven years ago, but it was burned down, and they put up this derailed box car, a cattle car, and they made the women and children go in there and buy tickets. Why, you would not go in there to sell a pig. One day six or seven years ago I saw 250 or 300 passengers on the platform of the so-called station waiting for the train. I went into the telegraph office and wired to the Railway Commission that they were not doing their duty by the people of the country, and that the things that were going on at Hervey Junction were a disgrace to civilization. I sent that to the late minister, who was then a commissioner on the Railway Commission, Mr. Bernier, and my appeal had its effect, for a few months after a beautiful station was put up, a regular junction platform was built for the convenience of the traffic. When I went back next year the station was finished, beautifully painted, all hardwood, everything fine, and I tried to get in the door, but I was told it had not been opened since I left the previous year. Now, that is the way things are going on; it was not opened because the contractor who built that first-class station could not get his pay from the department. The Canadian Northern who were getting $45,000,000 last year, are still keeping the people in the old box car not fit for dogs or pigs. I want that to go out to the world—not fit for dogs or pigs—and yet doing an immense amount of business in express, telegraph, baggage, and passengers. I venture to say that at Hervey Junction there is more traffic, profitable traffic for the Canadian Northern and the Grand Trunk Pacific than at any other station between Montreal and Quebec. And that is the district that the hon. senator has been representing for the last several years. Do you wonder at his indignation? Do you wonder at my exposé of the facts? I am not indignant; I got over it; I am exposing the facts just as they are; but do you wonder at his indignant exposing of these things on behalf of himself and those that he represents? Will not the Government come down and use some means whereby respect can be given to ordinary common females with their children? That is a plain question. Cannot they do it? I am putting the expression so that they will understand; if I talked to them of ladies they would not understand. There is the condition of things at Hervey Junction

along the Canadian Northern and along the Grand Trunk Pacific. I hold that there is no party politics, there is no partisanship in this, but it ought to be up to every man in this House to call upon the Government to have this situation of affairs remedied. That is the plain English of it. I have been down there looking at those poor creatures. They can not do it; they can not pull the Minister of Railways or the Railway Commission by the coat-tail, but we can grab them by the scruff of the neck and make them do it if we want to. That is the size of it. We ought to assist these poor people. Now the other point is this—and this is where the Government comes in—from Hervey Junction, in fact from Montreal to Hervey Junction and from Quebec to Hervey Junction on the Canadian Northern, I say, it was the most profitable station—not counting in Joliette or L'Assomption or any of those—as a whole. While the Grand Trunk Pacific was under construction trains were run by the firm who built that section, Macdonald and O'Brien. They ran trains from Hervey Junction to La Tuque, some 12 miles, to Mosquito, some 25 or 50 miles. They coined money with two trains a day. The Canadian Northern had a line from Hervey Junction down by the north, they had to go some 10 or 15 miles further and then up to La Tuque. The Canadian Northern gave the Grand Trunk Pacific every possible obstacle to overcome before they could get a stick of timber or a rail. While we voted 45 millions last year and are advancing some ten or fifteen millions this year, that is what the Canadian Northern has been doing to our national railway construction. Macdonald and O'Brien had every difficulty in the world to get in their supplies; but once they had a foothold, they established a system of trains; and as soon as a mile of road was built the train ran that mile. Those two men, Macdonald and O'Brien, gave more satisfaction to the people of that region for hundreds of miles than has the entire Government of Canada, and I am glad to be able to say that they lost nothing by it, for the traffic was good and they got returns, both in trade and passengers; but now that this traffic has been handed over to the Government what do we find, according to the senator from Mille Isle? Closed down; that beautiful road, that richly built road going to waste. Last spring I saw myself, where ties laid seven years ago were rotten, where rails were rusty, and beautiful rails, some 82 or 86 pounds; where the station was being covered with cobwebs, with every door locked and every window shut. That is the condition of things in that section of the country—a section which calls for colonization along the hardest lines in the Dominion of Canada, a section where they have no open fields, simply having to scratch the earth and sow the grain and then reap the harvest; colonization down in those districts takes the greatest pluck of a man, the strongest sinew that a man can form to do the work, whereas the western farmer, simply by looking at it, can get a crop, while the fellow out in our section has to work mighty hard and toil long before he can get results. And this is the treatment that is meted out to them by the Government of the day in regard to this national railway. The hon. senator from Mille Isle can see for himself that I speak from the feelings of my heart and from knowledge of the facts that have been before me. I was too long without saying anything. I do not suppose the leader of the Government can cure all the evils, or give a remedy for all the ills that we suggest to him, but I hope that he will seriously bring this matter to the attention of the Government, and especially the department whom it may concern. I know that he has a difficult position to fill here in listening to the tales of woe of everybody, and to the demands for mercy and pity, and appeals for grace, and for this and that. I say here deliberately that it is a shame, and it is not fair to the leader of the Government to place him in that position of having to respond to all the demands made upon him by 87 senators representing different parts of the Dominion. I give him credit for his ability, I give him credit for his good will, but it is not fair to him or to the country that all those demands should be considered by him alone in this country; and I say again to the senator from Mille Isle that the people of Quebec will thank him for what he has done to-day.

Hon. Mr. DAVID—I forgot to say that the hon senator for De Lanaudière (Hon. Mr. Casgrain) has a motion, and perhaps it would only be fair for him to speak.

Hon. Mr. GORDON—I have great regard for the sincerity of the hon. senator from Mille Isle, and I wish to ask him, if a train had been run this year from Cochrane down to Hervey Junction, which he says is a distance of 700 miles——

Hon. Mr. DAVID—I said from Cochrane to Quebec.

Hon. Mr. GORDON—Well, from Cochrane to Quebec—I am of opinion, and I think he will find universal agreement that I am right, that not one car of pulpwood would have gone from Cochrane or from Abitibi in that direction. It is an economic impossibility because the Transcontinental and Northern Ontario railway runs from Cochrane to Toronto, and from Cochrane down to Niagara Falls would be only about 500 miles to the pulp mills at the Falls, where they require the pulpwood—about 200 miles less than from Cochrane to Quebec according to the distance given by my hon. friend. The Timiskaming and Northern Ontario railway is drawing pulpwood at a very low rate in order to help out the settlers. I understand the rate is only one-half cent per ton per mile. Now, hon. gentlemen will see at a glance that it would be impossible for the other road to give a rate anything like that and draw the pulpwood so much farther. In connection with this point I want to say still further that thousands of cords more would come down from Cochrane and that vicinity, and be marketed in the American market on the frontier this year, were it not for the fact that pulpwood can be brought in and is being brought in during the summer months from the island of Anticosti at a much cheaper price than it can be delivered for, from up there.

Hon. Mr. CASGRAIN—Is the hon. gentleman sure that any pulpwood has never come from the island of Anticosti to the upper lakes?

Hon. Mr. GORDON—Yes, plenty of it; thousands of cords go from Anticosti right up to Ogdensburg. If you go over to Ogdensburg you will see thousands of cords being unloaded from the boats which came from the island of Anticosti.

Hon. Mr. CLORAN—Why cannot you do it right here in Canada?

Hon. Mr. GORDON—Last summer I had occasion to ask one of the firms who were purchasing wood from Anticosti why they could not purchase more of it up in the locality from which the hon. gentleman wants the wood to be transferred down towards Quebec, and that was the reason he gave me.

Hon. Mr. CLORAN—What was the reason?

Hon. Mr. GORDON—I want to point out further that around Abitibi during this winter pulpwood is being taken out and sold by the farmers from the province of Quebec, delivered in that lake at a price which I am sure they could not obtain to bring that pulpwood either east or west. With regard to what might be done with pulpwood or lumber after you get farther east than Abitibi, I know not, but I would just say that one large item which the hon. gentleman mentioned as an inducement for the Government to operate the railway was 2,000,000 feet of lumber at $2.50 per thousand. Perhaps if some hon. gentlemen are not so accustomed as I am to handling lumber, and they might think that would amount to a lot of money, but it really only amounts to about $5,000. I am, therefore, of opinion that if my hon. friend will look into this matter a little more thoroughly he will find that if that road had been operated in that vicinity this year it would have incurred an extremely heavy loss. I have been up in that country considerably, and have travelled over the Transcontinental, and one of the very things which my hon. friend from Montreal mentioned as a reason why the road should be operated—because of the great and beautiful stations which are built along there—is one of the things which in future will militate against our freight rates. I could go with you to places where there is no chance or possibility of trade being obtained, but where stations have been built that are good enough for towns of 10,000 or 15,000 population. That was one of the great objections and one of the great faults I have to find with the construction of that road, and I think hon. gentlemen who would accompany me over that road would also come to the same conclusion. Having placed my hon. friend right as to its being an economic impossibility to ship pulpwood up there, I am sure he would investigate the matter a little further and find out he is wrong.

Hon. Mr. DAVID—I would like to ask the hon. gentleman what is the object of letting the road rust there? Does he not think that the Government should operate the railway on that section?

Hon. Mr. GORDON—That is a matter to be taken up between the Government and the Grand Trunk Pacific railway; I do not know anything about it, but I can tell the hon. gentleman this much that it is a good thing for the country to-day that the Government is not operating it. Imagine a train leaving Winnipeg to-day and going to Moncton; what would it have in the way

of passenger or freight? You know as well as I do that they would have nothing to carry, and that we would be up against it tremendously. If my good friend will travel over the Canadian Pacific railway to-day he would find millions of dollars' worth of locomotives and cars that have been tied up all winter. That road is not doing a fifth of what it is able to do; therefore, what should we expect the other road to be doing to-day if other trains were running over it?

Hon. Mr. CASGRAIN—I would ask the House if they will agree to adjourn this debate? I would like to speak on this subject on Tuesday or Wednesday next. I therefore move the adjournment of the debate until Wednesday next, unless the leader of the Government is prepared to speak now.

Hon. Mr. LOUGHEED—No; I shall look forward with a good deal of interest to what my hon. friend has to say upon the subject.

The motion was agreed to.

BILLS INTRODUCED.

Bill No. 4, An Act respecting the Alberta Central Railway Company.—Hon. Mr. De Veber.

Bill No. 5, An Act respecting the Athabaska and Grande Prairie Railway Company.—Hon. Mr. Talbot.

Bill No. 6, An Act respecting the Brantford and Hamilton Electric Railway Company.—Hon. Mr. Ratz.

Bill No. 7, An Act respecting the British Columbia and White River Railway Company.—Hon. Mr. Casgrain.

Bill No. 9, An Act respecting the Essex Terminal Railway Company.—Hon. Mr. Taylor.

Bill No. 10, An Act respecting the Grand Trunk Railway Company of Canada.—Hon. Mr. Thompson.

Bill No. 13, An Act respecting the Montreal and Southern Counties Railway Bill. —Hon. Mr. Casgrain.

Bill No. 21, An Act respecting the Canadian Northern Ontario Railway Company. —Hon. Mr. Jones.

Bill No. 22, An Act respecting the Canadian Northern Quebec Railway Company. —Hon. Mr. Mitchell.

Bill No. 23, An Act respecting the James Bay and Eastern Railway Company.—Hon. Mr. Mitchell.

Bill No. 24, An Act respecting the Ottawa and New York Railway Company.—Hon. Mr. Davis.

Bill No. 25, An Act respecting the South Ontario Pacific Railway Company.—Hon. Mr. McHugh.

Bill No. 26, An Act respecting the Southern Central Pacific Railway Company.—Hon. Mr. Bostock.

Bill No. 39, An Act to amend the Canada Patriotic Fund Act, 1914.—Hon. Mr. Lougheed.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill No. 57, An Act to amend the Senate and House of Commons Act.

The Bill was read the first time.

Hon. Mr. LOUGHEED moved that the Bill be read a second time on Tuesday next.

Hon. Mr. CLORAN—What is the nature of the Bill?

Hon. Mr. LOUGHEED—On account of several members of the House of Commons, and possibly some members of this honourable body, having gone to the war, it is proposed that the Senate and the House of Commons Act should not apply to them, and that their absence from Parliament on active service during the war should not render them ineligible as members, and likewise that they should be entitled to their indemnity during their absence.

Hon. Mr. CLORAN—That is all right.

OMISSION IN DEBATES.

Hon. Mr. CLORAN—Yesterday afternoon, while the House was in session I performed a duty for an absent colleague in asking the House to have the second reading of a very important Bill put over until this day week, which request the House gracefully granted. At the same time I gave my reasons for doing so, although not father of the Bill, but simply to please the hon. gentleman in charge of the Bill. I explained why this postponement was asked and the reasons I gave were that the Bill was a very important one; that the Government through one of its principal departments had the matter under study, that there was no opposition so far as could be ascertained to the principle of the Bill, but that the amendment dovetailing that principle into the Companies Act, might create difficulty. Thereupon I asked

this honourable House to have the Bill postponed until Thursday next. Not one word of what I said yesterday appears in the Senate Debates to-day, and I make this explanation not for myself but for the sake of the hon. gentleman who is unavoidably absent, and who would like to see that his Bill has not been scantily dealt with. I hope whoever controls the debates of the Senate will see that the remarks I now make are not cast aside, as my remarks yesterday were. I do not know who is Chairman of the Debates, but my understanding is that every word uttered, gramatical or otherwise, should go down in the "Senate Debates."

Hon. Mr. LOUGHEED—The remarks of my hon. friend should certainly have appeared in the Debates. Personally I am not aware of the reason why they were omitted. I feel reasonably assured that the reporters would not have purposely omitted my hon. friend's observations. The omission must be entirely by mistake, and I would suggest to my hon. friend that he should mention the matter to the reporters, and I am sure that any oversight of that kind will be rectified.

Hon. Mr. CLORAN—I have done so.

ERROR IN MINUTES.

Hon. Mr. POWER—Before we adjourn I desire to call attention to an error in the Minutes of the proceedings of yesterday. In the Minutes of yesterday appears the following:

> With leave of the Senate,
> The Honourable Mr. Casgrain moved, seconded by the Honourable Mr. Corby.
> That, pending further orders, when the Senate adjourns on Friday it do stand adjourned until Tuesday, at eight o'clock in the evening.
> The question of concurrence being put thereon, the same was resolved in the affirmative, and Ordered accordingly.

Now my remembrance of what took place would go to show that the Minutes do not faithfully represent what occurred. The hon. gentleman from De Lanaudière (Hon. Mr. Casgrain) moved that when the Senate adjourned on Fridays it do stand adjourned until Tuesday at three o'clock in the afternoon. The hon. gentleman from De Lanaudière reduced his motion to writing, and it was put from the Chair, and there was no amendment made or suggested to that motion, as far as I remember, and consequently it seems to me that there is no justification for the entry in the Minutes. I find that the Debates confirm my own remembrance of what took place. The Debates at page 44 read as follows:

> Hon. Mr. CASGRAIN—I move, seconded by the hon. senator from Belleville (Hon. Mr. Corby) that, pending further orders, when the Senate adjourns on Friday it do stand adjourned until Tuesday at three o'clock.
> The SPEAKER—That motion cannot be put, unless the hon. leader of the House withdraws his motion to adjourn.
> Hon. Mr. LOUGHEED—I withdraw my motion.
> The SPEAKER—Then the question is on the motion of the hon. senator from De Lanaudière (Hon. Mr. Casgrain).
> The motion was agreed to.
> The Senate adjourned until to-morrow at three o'clock.

I think it very important that what happens here should be correctly recorded; and I call attention to this matter because the resolution affects not only our meeting on Tuesday next, but the meeting of every Tuesday during the remainder of the session, and until otherwise ordered; and I assume the clerk will see that the Minutes are corrected.

Hon. Mr. TAYLOR—I would like to inquire if the hon. gentleman from Halifax has read the whole of the Debates, because if I remember correctly His Honour the Speaker put the motion at three o'clock, and he said "I cannot understand the figure whether it is three or eight," and a great many members sung out "eight o'clock," and he accordingly put it eight o'clock.

Hon. Mr. CASGRAIN—That is right.

The SPEAKER—As a matter of fact I think the version given by my hon. friend from Leeds is a correct one. I put the motion first for three o'clock, and half a dozen members asked for eight o'clock, and in response to those replies I said, "well the figure on my motion is so confused I do not know whether it is 3 or 8," and then I put it eight o'clock, and it was carried in that way.

Hon. Mr. POWER—I objected, for one.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Friday, March 5, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BRITISH COLUMBIA BETTER TERMS COMMISSION.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. Has the third commissioner been seletced for the British Columbia Better Terms Commission? If so, what is his name, and when was he appointed?
2. Has any work been done by the other members of the commission or the secretary during the financial year 1914-1915?
3. What has been the cost of the commission from the time of the first appointment to the present date?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. The third commissioner has not been selected yet.
2. The two commissioners, Messrs. Lash and Bodwell had one meeting, and much correspondence regarding the appointment of the third commissioner. The secretary conducted the correspondence and performed the work pertaining to the duties of his office.
3. $8,095.

The Senate adjourned until Tuesday next at 8 p.m.

THE SENATE.

Tuesday, March 9, 1915.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

EMERGENCY CURRENCY AND GOVERNMENT ADVANCES.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

The names of the banks who took advantage of the emergency currency; the amounts borrowed; the rate of interest charged; also the names of trust companies, railway corporations who have been advanced money by the Government; the rate of interest charged; also the amount borrowed?

Hon. Mr. LOUGHEED—As to the first part of my hon. friend's question, the Government does not regard it as expedient to give detailed information as to the advances made to the individual banks. Then proceeding from that point I would say: the sum of $14,439,767.55 was borrowed by Canadian banks from the Government under the provisions of the Finance Act, 1914. Of this sum $7,047,267.55 has been repaid. No advances have been made to trust companies.

The following amounts have been advanced to railway companies: $10,000,000 to the Canadian Northern Railway Company upon the security of $12,500,000 of that company's four per cent debenture stock guaranteed by the Dominion under the provisions of The Canadian Northern Railway Guarantee Act, 1914. These sums were placed to the credit of the Minister of Finance and paid out under the provisions of the deed of trust securing the issue of said debenture stock. This advance is repayable, May 1, 1915, with interest at five per cent per annum. $6,000,000 advanced to the Grand Trunk Pacific Railway Company upon the security of $7,500,000 of that company's four per cent bonds guaranteed by the Dominion under the provisions of The Grand Trunk Pacific Guarantee Act, 1914. These sums were placed to the credit of the Minister of Finance and paid out under the provisions of the deed of trust securing the issue of said bonds. This advance is repayable May 1, 1915, with interest at five per cent per annum.

The Government does not regard it as expedient to give detailed information as to the advance made to individual banks.

Hon. Mr. McSWEENEY—The hon. leader does not tell us what rate of interest the banks are paying.

Hon. Mr. LOUGHEED—Yes; five per cent. That is the rate fixed by the Act.

TRANSFER OF GOVERNMENT STEAMER EARL GREY TO RUSSIAN GOVERNMENT.

MOTION DROPPED.

The Order of the Day being called:

Hon. Mr. PROWSE:—

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness shall submit to this House copies of all letters, telegrams, correspondence, and documents, in connection with the transfer of the Government steamer Earl Grey to the Russian Government.

Hon. Mr. PROWSE—As the information asked for in this motion has been supplied by the Government in the Lower House, I withdraw the motion.

PARLIAMENTARY REPRESENTATION OF PRINCE EDWARD ISLAND IN THE HOUSE OF COMMONS.

MOTION.

Hon. Mr. PROWSE moved:

That an humble address be presented to His Royal Highness the Governor General, praying that Your Royal Highness will be pleased to transmit the following address to His Most Excellent Majesty the King, as follows:

His Most Excellent Majesty the King:

We, your Majesty's most dutiful and loyal subjects, the Senate of Canada in Parliament assembled, desire most earnestly in our own name and on behalf of the people whom we represent, to renew the expression of our unswerving loyalty and devotion to your Majesty's person or Government.

We would respectfully represent to your Majesty that at a general election in Prince Edward Island held in the year 1873 A.D., upon the question of the entry of that Island into the Dominion of Canada it was clearly understood that the Island should for all time have a representation of not less than six members in the House of Commons of Canada.

And that the electors of the Island at that election voted in favour of becoming a province of this Dominion on the clear and distinct understanding that the new province should for all time, be so represented by not less than six members in the House of Commons.

And that in drafting the terms upon which Prince Edward Island should become part of this Dominion, the proviso with regard to a permanent representation of not less than six members in the House of Commons was through inadvertence or mistake omitted to be inserted.

And that by reason of such omission the province of Prince Edward Island has from time to time been reduced in her representation in the House of Commons, until now her representation therein has been reduced by half.

We would respectfully request your Majesty to be graciously pleased to give your consent to submitting a measure to the Parliament of the United Kingdom to amend certain provisions of the British North America Act, 1867, and any Act amending the same or any Order in Council or terms or conditions of union made or approved under the said Acts or any Acts of the Parliament of Canada. In such a manner that the province of Prince Edward Island shall, in accordance with the understanding upon which that province agreed to become a part of the Dominion of Canada, be henceforth represented in the House of Commons of Canada by not less than six members, being two from each county of said province.

All of which we humbly pray your Majesty to take into your favourable and gracious consideration.

He said: I have several objects in view in bringing this matter before this honourable House. While it has been threshed out once or twice on the floor of this Chamber, and at some great length at different times during the last twenty years in the Lower House, the grievance of Prince Edward Island has never been corrected. All those who have looked into the matter and taken the trouble to study it up, know well enough that an error was made by the Fathers of Confederation. When Prince Edward Island entered Confederation, six years after the British North America Act was compiled, she went in with the distinct understanding that she should have at least six members in the House of Commons for all time to come. I do not know who is responsible for the mistake, and I do not intend to attempt to find out, but I will endeavour to prove that there was a mistake made, and the mistake was made by both sides. The different telegrams and correspondence in connection with the contract then made, between the Dominion of Canada and Prince Edward Island, all proved beyond a doubt that the intention of the framers of that contract was that Prince Edward Island was to have six members for all time. Had the members then constituting the Dominion of Canada told the representatives of Prince Edward Island, "Well gentlemen we will concede you six representatives, but after ten years, or possibly two decades, we will reduce it to five, possibly four, and then eventually take all your representation away," do you think these men for one moment would have consented to Prince Edward Island coming into Confederation? I say we would remain to-day a province governing ourselves, and never would have formed part of the Dominion of Canada under those conditions. The reason I want to make the statement I am making is this, a lot of the older men in the Senate had heard this question threshed out time and again, but we have many new senators who have come in lately, and who are not acquainted with the facts of the case. The men who came up here to assist in the forming of the union of Prince Edward Island were not straw men—they were men of ability. We have not any abler men to-day. I know the names of these men, and some of the older members of this House will be familiar with them; names such as Hon. J. C. Pope, Mr. Haviland, Mr. Howlan, Mr. Hensley, Hon. Mr. Duncan, Robt. Haythorne, and Ed. Palmer are familiar to all hon. gentlemen. Do hon. members suppose for one moment that those men would come up here, and then go back with a contract which permitted their representation to be reduced and reduced again? Do hon. gentlemen think you could have found a man on either side of politics that would have stood for it? Now when it is clear that an

injustice has been done to Prince Edward Island, it is only right and just that we as a body should rectify it.

Hon. Mr. McSWEENEY—How could it be done?

Hon. Mr. DAVIS—By an amendment to the British North America Act.

Hon. Mr. PROWSE—By an amendment to the British North America Act. A resolution came up from the Lower House last year and if the matter had come over here in a separate petition, it would have been carried by this House, and would have granted Prince Edward Island a representation of four. If we can amend the British North America Act to grant Prince Edward Island four members in the House of Commons when the constitution only allows three, I say we can amend that constitution so as to allow the province six, which is right and just. I would like to talk for about an hour and a half on this, gentlemen, but I do not like to take up your time; I am going to ask the privilege of the House, however, to present a brief prepared by the Hon. John A. Matheson, Premier of Prince Edward Island, which covers the ground. It takes in all the correspondence, the telegrams, and the different debates of the Lower House on both sides of politics, and it shows beyond a doubt that there was not in the minds of any single individual the idea that our representation should at any time be reduced. With the privilege of the House I will submit this, and ask that it be copied in our Debates:

Several hon. GENTLEMEN—Agreed.

Hon. Mr. PROWSE: The brief to which I have reference is as follows:

When this province entered Confederation, it was allowed six representatives, though on a basis of population it would only have obtained five.

On the redistribution following the census of 1881 no reduction was made although it had still but five units of representation.

After the census of 1891 representation was reduced to five.

After the census of 1901 it was reduced to four.

If the same principle is applied, the next Redistribution Bill will reduct its representation to three.

It is claimed that according to the spirit of the terms upon which Prince Edward Island entered Confederation, the original number of its representatives should not be decreased, and that in order to carry out the true compact that number should be restored.

The first Confederation Conference was held in Charlottetown, September, 1864; an adjourned meeting was held in Quebec, October, 1864.

Prince Edward Island refused to enter into union unless six representatives were conceded.

The following extracts from the speeches of the Island delegates at the Quebec Conference show definitely their reasons for standing out:

Mr. Haviland:

"Prince Edward Island would rather be out of the Confederation than consent to this motion. We would have no status, only five members out of one hundred and ninety-four would give the Island no position."

Mr. Palmer:

"Representation by population is not applicable when a certain number of provinces are throwing up their self-government and individuality. When a colony surrenders that right she should have something commensurate in the Confederation. Why give up so great certainties where we have only a feeble voice? I never understood that any proposition at Charlottetown was to be binding as to representation by population."

Colonel Grey:

"I am instructed by my co-delegate to say that the provision of five members is unsatisfactory."

At the following session of the Legislature of Prince Edward Island held in 1865, the Quebec resolutions were discussed. These resolutions provided:

17. The basis of representation in the House of Commons, shall be population, as determined by the official census every ten years; and the number of members at first shall be one hundred and ninety-four, distributed as follows:

Upper Canada	82
Lower Canada	65
Nova Scotia	19
New Brunswick	15
Newfoundland	8
and Prince Edward Island	5

The Honourable J. C. Pope, Prime Minister, afterwards Minister of Marine, said:

"If the relative circumstances of Canada and this Island rendered a Union practicable, the evident injustice of the terms agreed to by the Quebec Conference would prevent their being ratified by the Legislature of this Island. Without admitting the principle of representation according to population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this Island in connection with Canada, taking into consideration that the number of our inhabitants is and must continue comparatively small, owing to the fact that we have no Crown lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become to any extent a manufacturing people in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped."

And later, in the same debate, Mr. Pope is reported thus:

"Among these objections I may mention the principle of representation by population. A very simple calculation will show that the adoption of this as a standard would entitle the city of London to send to the British House of Commons no less than seventy representatives, and the city of Montreal in the Confederate Parliament would have a representation greater than that of this Island. Its statistics warrant the belief that in a few years the population will

be so increased by the influx of the tide of immigration that the Island would lose in the halls of legislation even the small voice which she might raise at her entrance in to the union.' (Debates P.E.I. Legislature, 1865, p. 45, et seq.)

Honourable Mr. Hensley:

"The terms of the report before us are, in my opinion, very unfavourable to this Island. On the scale of representattion proposed, we would be without the slightest influence in the United Parliament. It is true that, if we went into the proposed Union, we would have no right to expect as large a number of representatives as either of the Lower Provinces, but then why should we throw away the independence which we now enjoy?" (Debates P.E.I. Legislature, 1865, p. 50 et seq.)

Mr. Howlan:

"Representation by population might be very well for Canada herself, but in a general Union of the Colonies, it would operate injuriously for the Maritime Provinces, as they could not expect to protect their interests when they would have to contend with one hundred of a clear majority over their own representation. This principle would give the city of Montreal with its one hundred thousand inhabitants one representative more than this Island. Quite different is the representation of Great Britain, for while London has about the same population as Scotland, that city has only sixteen members in the House of Commons, while Scotland has fifty-three. But it may be argued that as our population increases our representation will increase. This is very doubtful. Indeed, under the operation of the 20th and 21st clauses of the report it seems probable that we might lose our representation altogether. Lower Canada is always to have sixty-five members, and the representation of the other Colonies is to be arranged every ten years so as to give each the same ratio to population as she will then posses. Now should the population of Lower Canada increase more rapidly than that of this Island, which is almost certain to be the case, our representation would decrease, and we would be left perhaps without a member at all."

Mr. Duncan:

"As to the General Legislature I consider the representation in it allowed to this Island unfair and unjust. The five representatives allotted to us in the Lower House would not give the Colony much influence there; but as our population will not increase so rapidly as that of Canada, there is a prospect, through the operation of one clause in the report, that our five representatives would dwindle down to three. Taking all these points into consideration, therefore, it is clear to me that we have nothing to gain and much to lose by adopting the Quebec scheme." (Debates P.E.I. Legislature, 1865, p. 65, et seq.)

The above extracts represent the attitude of both political parties in the province at that time.

The Canadian Government continued desirous to round off Confederation with the addition of Prince Edward Island, but no definite progress was made until the year 1873 when that Government at last conceded six members as the following correspondence shows:

Telegram from Robert P. Haythorne to Lieutenant-Governor Robinson, dated February 26, 1873:

"Held two conferences. Increase of annual allowance. Probable yield six representatives."

Telegram from Robert P. Haythorne to Lieutenant-Governor Robinson, March 6, 1873:

"Highly probable get six representatives; try and send reply Council as soon as possible."

Telegram from Lieutenant-Governor Robinson to Robert P. Haythorne:

"Council will concur in advising dissolution. We hope six representatives will be conceded."

Telegram to the Honourable Edward Palmer from Robert Haythorne, March 6, 1873:

"Except modifications stated and interest difference old debt, better terms allowed. Six members conceded."

First Ground.

That we were to have a minimum representation of six is made clear enough from the evidence and facts above submitted. By some oversight or mistake the memorandum embodying the terms did not in clear and unequivocal language provide for such. That, however, was the joint mistake of both contracting parties and a mutual mistake should never be held to be binding. Had there been more care shown at that time in seeing that the understanding for a minimum representation of six had been clearly placed in the agreement, no one would have made the least objection. We are simply asking now that the mistake then made be corrected.

Second ground.

The decline in the population of this province was owing in some degree to the failure of Canada to carry out its contract to place "the Island in continuous communication with the railway system of the Dominion."

Prior to Confederation, this Island had a well established commerce directly with Great Britain, the West Indies and other lands, and had a very small proportion of its commerce with the colonies now comprised in Canada. By entering the union the direction and control of its commerce and industrial development were delivered over to Canada; the independent lines of trade which the Island had established were diverted to Canadian channels and continuous communication with the mainland as a consequence became essential to its welfare.

Canada defaulted on its contract.—It is unnecessary to set forth in detail the extent of this default. It was admitted in 1901 when the Dominion agreed to pay annually to this province the sum of thirty thousand dollars "for non-fulfilment of the terms of union as respects the maintenance of efficient steam communication both summer and winter between the Island and the mainland."

The utter inadequacy of this allowance need not be considered in this connection. The point is that the breach of contract was admitted by Canada.

Prior to Confederation this Island was doubling its population every thirty years; its revenues were doubling every twelve years. In 1841, its population was 47,034; in 1871—the last census before Confederation—it was 94,021. At a steadily diminishing ratio of increase it reached 109,078 in 1891 and then declined rapidly to 93,722 in 1911.

If the pro-Confederation ratio of increase had been maintained the population would now be 219,000.

In the neighbouring colony of Newfoundland, in which the natural advantages were much less and where ratio of increase had always been much lower, the population increased from 161,374 in 1874 when its census was taken, to

upwards of 240,000 in 1911. Population always tends to move from disadvantage to advantage.

It is but fair to assume that the unfavourable conditions brought about in this province by the non-fulfilment of the terms of Confederation had much to do with its loss of population and it is contended that it is most unjust that this province should be penalized by Canada for Canada's default.

It is impossible to come to any other conclusion than that the draughtsman in drawing up the terms of Union overlooked the agreement that had been arrived at as to representation and neglected to use words necessary to provide for a minimum representation. It is clear that our province refused to accept the Quebec terms because that minimum of six was denied us.

Is it reasonable to suppose that, having refused to come in for nine years on account of the smallness of the representation which the Quebec terms offered, all these objections would vanish in 1873 and that the Island would join the Union knowing that it would only have six members for a few years?

After the census of 1891 we lost one member. After that of 1901 another, and unless this Conference comes to our relief with a recommendation we will certainly lose a third as a result of the census of 1911; and in a few years our province will only have one representative in the House and eventually none at all. When this takes place an intolerable situation will arise. Taxation without representation is under constitutional government impossible, and to this Prince Edward Island is steadily drifting. It is not the part of wisdom to wait till that day arrives. The remedy should be given and the mistake under which our province suffers should be corrected now. Delay only aggravates the situation and renders the final adjustment more difficult.

Dated at Ottawa, this 27th day of October A.D. 1913.

There is not a single hon. gentleman in this House who after reading this carefully will say that Prince Edward Island is not rightly and justly entitled to her six representatives. I will add that, while I am a young man—though possibly I may not live any longer than some of the older gentlemen—as long as I am in this House I will never rest satisfied until Prince Edward Island gets her just rights.

Several hon. GENTLEMEN—Hear, hear.

The SPEAKER—What is the motion to be put before the House? If the motion is the one on the Order Paper, I do not know that it is a proper motion. We might perhaps discuss that question. The motion is "That a humble address be presented to His Royal Highness the Governor General." That is the motion—to present an address; but the address has not been carried by this House nor by the House of Commons.

Hon. Mr. CLORAN—We are going to try to carry it.

The SPEAKER—I am just pointing out the difficulty; I am not giving a decision. I am asking the hon. gentleman if he thinks his motion is in order in this form—that we should present an address to His Royal Highness—an address which has not yet been adopted by this House.

Hon. Mr. CLORAN—If the motion carries it will be adopted.

Hon. Mr. PROWSE—I will move the resolution, seconded by the Hon. Mr. Yeo. If required I will read it over.

The SPEAKER—As I understand the procedure that should be followed, it would be this: a motion to adopt the address here, and then, after that address has been adopted by this House, as a consequence one of the members in this House will present the address to His Excellency the Governor General. By the present motion it is asked to present to His Royal Highness an address which has not yet been adopted.

Hon. Mr. CLORAN—Make a motion to have the address adopted.

Hon. Mr. PROWSE—I move that the following address be adopted.

Hon. Mr. CASGRAIN—That is enough.

Hon. Mr. PROWSE—"That an humble address be presented to His Royal Highness the Governor General"——

Several hon. GENTLEMEN—Dispense.

The SPEAKER—The hon. gentleman moves now that the following address be adopted by this House. If any one has anything to say——

Several hon. GENTLEMEN—No.

The SPEAKER—It is moved by the Hon. Mr. Prowse, seconded by the Hon. Mr. Yeo——

Hon. Mr. POWER—Hon. Mr. Yeo is not here.

Hon. Mr. CLORAN—Seconded by Senator Cloran.

The SPEAKER—That the following address be adopted. If we adopt the address, then afterwards the address, as adopted, will be sent to the Governor General.

Hon. Mr. CLORAN—In rising to speak to this motion—call it address or call it what you will—I think I rise to a question of fair play and a question of justice between the smaller element and the larger element in Confederation. Confederation was obtained under certain conditions; Confederation was assured under the provisions

of the British North America Act guaranteeing the province of Quebec its undeniable right to have 65 members of the House of Commons in that province, whether there was 1,000,000,000 or 10,000,000 or 100,000,000 in the Dominion of Canada. That was the stable basis of Confederation. Then one of the next points made by the Fathers of Confederation was that certain questions should belong to the Federal jurisdiction, and certain other questions should come under provincial jurisdiction. That was a sine qua non put down by the Cartiers, put down by the Dorions, put down by all the able men of the province of Quebec, and by the able men of Ontario. These conditions have been fulfilled since 1867; conditions of birthright, civil right, of representation—in every branch of public life have these conditions been respected by the Confederation of that day, of four provinces coming into this Dominion. Then what do we find? We find British Columbia coming in on a material condition—a condition that a transcontinental railway should be built from Halifax to Vancouver. The Dominion has carried out that obligation, and has placed that far-away province of the union in harmony and in conjunction with the rest of the Dominion. Then we had Manitoba come in. Some say—and probably the question will be raised to-morrow—that Manitoba has violated one of the essential conditions under which that province came into the Dominion. I am not prepared to discuss that now. I may tell you that it was not the Federal power that violated it. And finally we have that little Island, the garden of the sea, not thoroughly populated, not much more so than the garden of Eden; but a finer spot of earth than that cannot be duplicated in the Dominion of Canada.

Hon. Mr. MURPHY—Or the continent of America.

Hon. Mr. CLORAN—It is a spot of earth containing, at the time it came into Confederation, a sturdy population, a virtuous population, and I may say, probably the most intellectual population in the Dominion of Canada, for Prince Edward Island men are furnishing to-day the brains of the universe to the United States and other parts of the civilized world. Now the Prince Edward Island people were happy at home, they did not want any interference from anybody or with anybody; they did not want foreign laws to dominate their commerce—and by foreign laws, I mean the laws of New Brunswick, or Nova Scotia, or Quebec, or Ontario, that might affect their commerce. They were thriving well, they were rich and happy until the time they entered Confederation, under certain conditions. What has happened to that little spot of land that lies on the bosom of the Atlantic? The drawing of the island into the Dominion did not destroy the fertility of the soil, nor did it diminish the beauty of its aspect, lying there as a tranquil swan or dove on the bosom of that ocean; but what became of what every man considers the greatest obligation he has to fulfil, namely, respect for his rights and liberty? The Prince Edward Island people sacrificed these rights which had been used in the best interests of the community; they handed them over to the Dominion of Canada on the ground—and it was the only condition I think, which the island sought to obtain from the Federal power of Canada—"Gentlemen, we will go into your country, but upon condition that the representation of our population to-day, which numbers 100,000 or 105,000, will remain for ever and ever the same. No matter whether we grow to be 200,000 or 300,000 or a million of population, all we ask is that you give to the island six members in a Federal House of the Dominion of Canada." Now, to my mind there is no party question in this, there is no political question in it; there should not be, and there is not. The only thing that should absord the mind of public men in dealing with this question is respect for the principles of justice, fair play, and common honesty. That is the only duty that this great Dominion of Canada has to perform towards that helpless little island. The island came in saying, "Yes, we will round up your Dominion, we will be a part of you, on condition that the representation we have to-day, six in number, should not be reduced and shall not be augmented." Now, where is the statesman who is going to cast aside an agreement of that kind, if he be honest, if he be fair, and if he be just? I care not how little the population of the island may become. It has dwindled from 105,000 down to 99,000 and 98,000, but a dwindling population does not change the nature of the contract and the principles which underlie it—those of honesty and fair play. There is no politics in that; there is no party spirit in it. After all what would six members count in a representation to-day even of 225, and ten years from this of three hundred members? But let Can-

ada hold its name sacred in regard to people who are unable to defend themselves. As the question was put—I forget by whom—when the senator from Prince Edward Island was speaking to the House, in order to preserve the provisions of this contract what are you going to do? That strikes me as an absolute decapitation of the island. Why? Appeal to the people of Canada over the heads of its representatives, if they are not fit to deal with a question of that kind on a basis of honesty, fair play and justice, according to contract. The Island is not asking for the pound of flesh. The Island tells Canada that if its population increases it wants six members, as granted under the Confederation Act, and if the population diminishes it is not up to the bigger dog to chop up the little dog and eat him alive. The hon. member from Charlottetown did not say it in those words, but I will express it in that way. It practically means that when the population of Canada becomes 40 or 50 or 75 millions, that Island will not have a single representative, but will be chewed up by the bigger dog. Is the Parliament of Canada going to stand for such doctrine in regard to national agreements, and national contracts? I know that what we say here to-night will have no immediate effect, but I hold that if the senators would have the courage of their convictions, and put them down in black and white, in years to come they would bear fruit, and the electors of the future would understand that the appeal of the downtrodden Island should be heard and met in all fairness and justice..

Hon. Mr. MURPHY—Hon. gentlemen will remember that on two previous occasions last year I spoke somewhat elaborately on this subject, during the debate on the Address, and also on the motion to allow increased representation from the West, to which was attached an application to the House of Commons and House of Lords, England—the Government of England, in other words—to grant an amendment to the British North America Act which would give us four members instead of the three which we are entitled to under the last distribution. This matter of the representation of Prince Edward Island is a sore spot with the people of my province. In fact the people feel that we have been deceived in some way, by whom we know not. There is no question at all that, at our entrance into Confederation, it was understood by the men who represented our province at the time, and it was also understood by the other party to the contract, the representative of the Canadian Confederation as it then existed, that we were to have an irreducible minimum of six members for all time to come. Our contract of Confederation is verbatim with the contract of British Columbia, which entered into Confederation the year before, and, by analogy, hon. gentlemen will see that it would be absurd that we, who had stayed out of Confederation for six years on account of not being conceded the irreducible minimum of six members, should at that time come in without that concession. British Columbia the year before entered the Confederation with a population of ten thousand white people in a total population of forty thousand, and that province was conceded an irreducible minimum of six members for all time to come. It must appeal to all fair-minded men that Prince Edward Island, with upwards of six times the white population, would hardly be content to come into the pact unless it was conceded at least the same terms as British Columbia. The record, as I put it before hon. gentlemen last year, and the record as it has been well put in that memorandum submitted to the Interprovincial Conference by the Premier of Prince Edward Island on behalf of the province, shows clearly the intention—although by some clerical error the intention was not implemented in the written agreement,—that we should have a minimum of six. By some unfortunate error in the writing of the contract, the word "readjusted" was used instead of the word "increased," as it appears in the British Columbia contract. For that reason when it came to the census of 1891, readjustment was taken to mean down or up, and on account of our loss of population as compared with Quebec, a readjustment was made that gave us fewer members than before. Now the men of the Upper provinces never thought for a moment, in their optimism as to the success of the nation, that there would be such a thing as a readjustment downward. We had been increasing in as fair a ratio as any other province, but our statesmen saw that, owing to our position, and owing to our want of a chance for industrial development,—our lack of mines and forest,—that the province could not keep pace with the other provinces of the union. Hence they said: Our voice will go to the vanishing point," and they therefore demanded a fixed representation for all time to come, so as to give us at least some small voice in the affairs of the great Dominion. Now, with individuals, so with

nations, treaty obligations, whether written or implied, should be lived up to. We see in the demonstration of the world to-day, the result when treaties were endeavoured to be set aside, and high contracting parties are in a position to correct the error. I would say that under the circumstances, having the admission from all sources that there was an evident intention to have a written contract at that time to the effect that we should have a minimum of six members for all time to come, that the party on the one side, the Dominion of Canada should concede to Prince Edward Island what was intended. Let us see how this matter of representation has worked out. When we entered into Confederation we were only entitled to five members on a pro rata basis of population as compared with Quebec. But we were given six—that goes without saying. In 1882, after the decennial census, we were still only entitled to five, but the statesman who had planned Confederation, who had made the bargain, was still living, and Sir John Macdonald, at the head of his Government in 1882 did not attempt to take away our representation of six. It was not until 1891, when the statesmen who had made the Conservative Confederation contract had passed away, that the men then in control of affairs—Sir John Thompson being Premier of Canada,—hewed to the line, and applied the law to the province, and we were put back to five.

Hon. Mr. CASGRAIN—Did the population decrease between those times?

Hon. Mr. MURPHY—No, up to that time it had not decreased to any appreciable extent. We were only entitled to five on the basis of population, but Sir John Macdonald knew the bargain, and so did not attempt to put us back. It was not until Sir John Macdonald passed off the scene that our representation was reduced, and the Federation pact was, in its essence, violated. It has been stated, and we hear it around the corridor—"Why should Prince Edward Island, with a population of 93,000, any more than one of the ridings of the city of Montreal of that population, have six representatives, while the riding in the city of Montreal has only one?" That would seem on the face of it a fair question to ask, but the city of Montreal was never a unit; it never gave up its autonomy. It was only a part of a great province, and when a colony gives up its autonomy—its self-governing privileges—the smaller it is the more it gives up; therefore, in giving that up, it gets a quid pro quo, and that quid pro quo should certainly be conceded to it with generosity, and not with niggardliness. There is another thing I would like to call attention to, and that is that the difference in urban and rural representation is very great. For Canada the unit of rural representatioin is 18,000 to 20,000, as compared with 32,000 and 33,000, the average general representation. We in Prince Edward Island are practically a rural population, and we have really only one city with a population of about 12,000—you could put us down as rural. Take the population of 93,000, divided by 18, and this would give us five members on the basis of rural representatioin in Canada. I contend on this point alone we are entitled to a return of our lost members, because as a rural populatiion we are entitled to representation along those lines. Another matter I would like to draw attention to is that representation by population is something that has been argued over and over again, and representation by population, as far as cities are concerned, as compared with the country districts, is not put in the same category. For instance, take the city of London to-day, and put it on the same basis as the representation of Ireland, and we would have 150 members for that city alone. Hence, for the purpose of comparison, provinces and large cities should not be compared on the basis of a unit with Prince Edward Island at all. There is another reason, too, why we should get our representation back, and that is that there were two sides to this contract; the one was on the part of the Dominion Government to furnish continuous and efficient steam communication, which would keep us in communication with the other provinces of Canada and enable us to trade with them. That provision has never been implemented up to date, and for that reason we have lost population. It is patent to any hon. gentleman present that you might as well sever the main arteries in a man's leg and expect the feet to develop, as to cut off communication and expect commerce to flourish. Hence we lost population by the Government not fulfilling part of the obligation as written down in the bond between the province and itself. I contend it is not fair to turn around and penalize us on the other side of the bond because we have lost population as a result of the fault of the larger party to the

contract. This principle of an irreducible minimum is not a new thing; it extends back in the building up of the various nationalities under the British constitution, and the latest example we have of it is that of the Australian commonwealth. Their unit of representation is ascertained by dividing the population of the state by 72, and in that way you get the number of members conceded to that particular State, but there is one exception to this rule—the same exception that applies to British Columbia, and that we thought applied to us—there is a fixed minimum; that is when this 72 puts the representation of the Commonwealth below five, that State receives five of a representation. In other words it is a fixed or irreducible minimum—no State of the Australian Commonwealth can fall below 5. As an illustration of this principle, Tasmania in the Commonwealth, which is only entitled to a representation of three under the unitary basis, still has five, and western Australia which is only entitled to four on this principle now has five. So that it is no new thing in Australia, and it is the most up to date example we have. When they were framing their Commonwealth constitution they saw the necessity to maintain the communities without the opportunity for development, as compared with the more living parts of the country; to give them a commensurate voice it was necessary to give them the irreducible minimum the same as Canada gave to British Columbia, and the same as we thought they gave to us in Prince Edward Island, when we entered Confederation.

Hon. Mr. CLORAN—The point made in regard to Australia is all right. I have no opportunity now to dilate on the fact that the State of New Hampshire, the State of Rhode Island, and those little buckwheat states, have as great representation in the United States senate as New York State, or Pennsylvania State, with their millions of population. The hon. gentleman might introduce that feature into his speech, and it would make a good point in the future. We have the United States Congress dominating the entire world to-day, all through the hands of half a dozen men who come from small states.

Hon. Mr. MURPHY—The hon. gentleman will remember that last year in speaking to that resolution in regard to increased representation in the West, I referred to that question, and the case I cited was Rhode Island, the smallest state in the union, with half a million population, and a fixed representation in the Senate of two, the same as New York State; all of which goes to show that there is evidence of a general varying of representation that goes to give a weaker State such representation as will maintain its autonomy as a State. Look at the absurd position if the law, as it is now interpreted by the Privy Council, is applied to us. You can see the vanishing point in a short time, and would see what I do not think any member of this House would wish to see, namely the day when we in Prince Edward Island would only have one member. I do not know whether you could make it any less than one—the day might come when we would have none at all.

Hon. Mr. McSWEENEY—You have four in the Senate.

Hon. Mr. MURPHY—Yes, but we are talking about the House of Commons where the money bags are held, where they pass important legislation. A voice in the popular chamber is always essential for the proper government of a province. Such a state of affairs as I suggest is something which nobody would desire. Our province surrendered its right to self-government; we dislocated our trade relations, which were chiefly with the United States, Newfoundland, and the West Indies; we threw ourselves into Confederation, and consequently into new channels; and we found ourselves, for a time, the worst penalized province in Confederation, because the upper provinces did not take much of our products for a long time. The Maritime Provinces had not developed, and our trade was cut off with the West Indies, Newfoundland, and the United States, so that for a time after Confederation the dislocation was almost more than the province could stand—it nearly reduced us to beggary. However, we got beyond that stage. I was talking to a financier the other day and he said that the further west you went, the worse financially the country became. He said: "Start with Prince Edward Island, it is the best, New Brunswick is next, and the further you go west the state of the country is in a diminishing ratio; the further you go west the heavier the monetary stringency has affected the different provinces." I want hon. gentlemen to understand the position that exists, and I wish not only the sympathy but the active co-operation of every member of this House to endeavour to redress the wrong under which we labour. I shall read from the speeches in the legislature in 1865 and 1873. I shall read a tele-

gram at the conclusion of the debates by Mr. Hawthorne, who was Premier of the province at the time, and chief representative of the Prince Edward Island's side of the case. This was addressed to the then Colonial Governor of the province and speaks for itself. The last telegrams, at the conclusion of the pour parlers were as follows:

Held two conferences. Increase of annual allowance. Probable yield six representatives.

Telegram from Robert P. Haythorne to Lieutenant-Governor Robinson, March 6, 1873:

Highly probable get six representatives; try and send reply council as soon as possible.

Telegram from Lieutenant-Governor Robinson to Robert P. Haythorne:

Council will concur in advising dissolution. We hope six representatives will be conceded.

Telegram to the Hon. Edward Palmer from Robt. P. Haythorne, March 6, 1873:

Except modifications stated and interest difference old debt, better terms allowed. Six members conceded.

What could be fairer than that? There can be no doubt about the honesty of our case. There is a telegram after negotiations were completed from the responsible minister of the province at the time, to the governor of our province, and it shows clearly that the intention was, whatever was written in the contract, that we, like British Columbia, should have an irreducible minimum. Let us see how we are situated to-day as compared with what we were in 1873 when we entered Confederation. At that time we had six representatives in the House of 189 or a ratio of one-thirtieth of the House. As it stands to-day, if we do not get some relief we will have three in a House of 234 or one-seventy-eight, so that you will see the difficulty under which we are labouring. The worse feature is that, looking into the future, we can see no hope. We may live in hope and die in despair. We see no hope for the province, except legislation by this branch of Parliament, and by the House of Commons as a co-ordinate branch, asking relief. I have no doubt if that relief is asked, and the proper step taken, as I hope there will be before this Parliament closes, such relief will come, and we will not be in the humiliating position of having a further reduction of one, and of coming back with only three members of the House of Commons when we meet next session.

Hon. Mr. MURPHY.

Hon. Mr. LOUGHEED—If my hon. friend should insist upon submitting his motion to vote of the House, I should like to point out the objections that may be urged to the proceeding which he is about to take, and to show him where it would not be desirable on the part of this Chamber to adopt this motion. There is one thing that may be said before dealing with the question before us, and that is to say that hon. gentlemen from Prince Edward Island are not only to be commended, but to be congratulated upon the persistency which characterizes their efforts in presenting to the Parliament of Canada the various claims of Prince Edward Island. This is meritorious. One cannot take any exception to it whatsoever, but persistency may not always be wisely exercised. It must not be overlooked that we are dealing with a very serious subject. We propose to approach the Imperial Parliament upon a subject not only affecting Prince Edward Island, but affecting the whole Dominion. This address or this motion makes emphatic a statement that in 1873 when the terms of union were being discussed between Prince Edward Island and the Dominion of Canada a very grave and serious mistake entered into the arrangement which was then concluded in the shape of a pact or terms of union between that province and the Dominion of Canada, and duly reduced into Imperial legislation. Now we are asked upon the statement which the hon. gentleman has made to say that this mistake then took place, viz., that Prince Edward Island was then entitled, under the agreed terms of union, to be represented by an irreducible minimum of six members.

Hon. Mr. CLORAN—It was only a clerical error.

Hon. Mr. LOUGHEED—This Chamber should not be asked in this way to commit itself after some forty odd years to the statement that that mistake did actually occur. It must not be overlooked, with all due regard to the persistency which has marked the action taken by Prince Edward Island down to the present, that we and they adopted the present terms of the Union at that time. The representatives of Prince Edward Island were present, I believe, at the Imperial Parliament when the legislation was then passed by that Parliament. They entered into Confederation under the manifest terms which then

formed the Imperial Statute. They proceeded for some years under the terms of the Union then adopted, and did not at the time take the steps which then might have been taken.

Hon. Mr. CLORAN—Which were not necessary.

Hon. Mr. LOUGHEED—To have impressed not only upon this Parliament but upon the Parliament of Great Britain the mistake which they to-day allege took place at that time.

Hon. Mr. CLORAN—Which were not necessary; Sir John——

Hon. Mr. LOUGHEED—Now, I am not questioning for a moment the fact that such an impression or such an understanding may have existed between those who represented Prince Edward Island in the negotiations which then took place, but I do say that at this particular period of time it is most difficult for hon. gentlemen in this Chamber or in the House of Commons to say that the solemn compact then entered into and ratified by Imperial legislation contained a material mistake which was of the essence of the pact then entered into, and that the terms of Confederation should now be disturbed without an official inquiry at least. I think the Parliament of Canada must deal more seriously with important subjects which form the subject-matter not only of Imperial legislation but of Dominion legislation than to treat lightly what was then so solemnly adopted by the legislation to which I have referred and which we now seek to upset by this motion which has been moved by my hon. friend.

Hon. Mr. CLORAN—Will the hon. leader allow me to put him a question?

Hon. Mr. LOUGHEED—Permit me to say to my hon. friend this—that I do not propose to discuss the merits of the situation at all, as to whether it would be expedient that Prince Edward Island should be represented for all time by an irreducible minimum of six. I do not think that that enters into the consideration of this important question at all.

Hon. Mr. CLORAN—Will you allow me to put a question?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—I simply do it in the interest of justice, and I am going to put to you a very plain question.

Hon. Mr. LOUGHEED—What is the question?

Hon. Mr. CLORAN—You have laid the law down, and if according to facts, cannot be controverted; that I admit. Now you assume——

Hon. Mr. LOUGHEED—Will my hon. friend not enter into a lengthy discussion of the matter? If there is a question that can be answered——

Hon. Mr. CLORAN—Why, if the Imperial Act was as you say, Sir John A. Macdonald in 1882 was the first to violate it by giving Prince Edward Island six members? Now, if you want a question, answer it.

Hon. Mr. LOUGHEED—Hon. gentlemen will observe by looking at the motion that we are asked to commit ourselves to this statement:

> We would respectfully represent to your Majesty that at a general election in Prince Edward Island held in the year 1873 A.D., upon the question of the entry of that Island into the Dominion of Canada it was clearly understood that the Island should for all time have a representation of not less than six members in the House of Commons of Canada.
>
> And that the electors of the Island at that election voted in favour of becoming a province of this Dominion on the clear and distinct understanding that the new province should for all time, be so represented by not less than six members in the House of Commons.
>
> And that in drafting the terms upon which Prince Edward Island should become part of this Dominion, the proviso with regard to a permanent representation of not less than six members in the House of Commons was through inadvertance or mistake omitted to be inserted.

Now, it is needless for me to point out to hon. gentlemen that we have not before us the evidence to warrant us in coming to any such conclusion.

Hon. Mr. CLORAN—Senator Murphy gave it to you.

Hon. Mr. LOUGHEED—We do not doubt for a moment the statements or the good faith of the hon. gentleman who said that the facts have really occurred as they are embodied in this resolution; but it is an entirely different thing to have that evidence before us in the clear light of day, the same as a court would require where they were called upon to rectify an important agreement or contract such as this is. Now, may I further say, that in my judgment this is not a question in which the Parliament of Canada has jurisdiction to say without any doubt whatsoever to the Imperial Parliament that upon the representation of the Federal Parliament of Can-

ada this alleged mistake should be rectified. There is another very important consideration to which I would invite the attention of my hon. friends from Prince Edward Island, and that is that Confederation is a compact between all the provinces of Canada and not between one province and the Dominion of Canada. If the terms of union herein were disturbed and an irreducible minimum should be fixed for Prince Edward Island, what would Nova Scotia say? What would New Brunswick say? What would Ontario say? What would all those provinces say that in each decennial period when the Redistribution Bill is being passed, are having their representation reduced?

Hon. Mr. CLORAN—What about British Columbia?

Hon. Mr. LOUGHEED—At the first session of Parliament of the present year, the representation of Nova Scotia, of New Brunswick and Ontario was reduced—reduced by a substantial number—and those provinces, I do submit to hon. gentlemen, would have the same right to ask the Imperial Parliament to adopt an irreducible minimum of representation as would the province of Prince Edward Island. I did make the suggestion some time ago, when this question was being discussed, that this was peculiarly a subject which should come before the different provinces in one of their interprovincial conferences.

Hon. Mr. DANDURAND: Hear, hear.

Hon. Mr. LOUGHEED—And I feel fully assured that not only was the Premier of Prince Edward Island fully convinced of that fact, but likewise the members from Prince Edward Island, because at the last Interprovincial Conference held in the city of Ottawa this subject was taken up by the Premier of Prince Edward Island and the matter was discussed, and also, if I recollect, in the Provincial Assembly of the province of Quebec.

Hon. Mr. DAVID—Hear, hear.

Hon. Mr. LOUGHEED—But there is this to be said about it, that notwithstanding the fact that the representatives of Prince Edward Island in the Interprovincial Conference of a year or more ago took this subject up with the representatives of the various provinces, there was, to say the least, the echo of an opposition to it, although more or less encouragement was given to the representatives of Prince Edward Island that they should proceed on those lines and secure the support of the various provinces to this proposed amendment. No exception could be taken to proceeding with such a course, but I would say to my hon. friend who has moved this resolution that he will at once find that immediately the province approached with a view to sanctioning the proposed amendment, every province in the Dominion will seek to import into their terms of union the principle which he now advocates. Namely, that of an irreducible minimum. May I also refer to my hon. friend——

Hon. Mr. PROWSE—Excuse me one second. Nova Scotia, New Brunswick and the other provinces came into Confederation under the British North America Act; Prince Edward Island came in under a separate contract.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. LOUGHEED—I am aware of that, but I would say to my hon. friend that by a judgment of the Privy Council—I think my hon. friend from de Salaberry, who is familiar with most of the decisions of that important tribunal, and will correct me if I am wrong, will confirm my statement that this subject was practically decided by the Privy Council—that the word "Canada" in the British North America Act was interpreted as not only applying to the then four provinces of Canada which entered Confederation at the time of the first Act, but the term is interpreted in a broader sense, to include all other provinces that may come into Canada hereafter. I think I am right in that.

Hon. Mr. DANIELS—Not by a subsequent Act.

Hon. Mr. CLORAN—That is splitting hairs; I don't believe in that.

Hon. Mr. LOUGHEED—I would say to my hon. friend that I am not opposing for a moment the principle which he seeks to advocate, but I am opposing the process by which he seeks the legislation to accomplish his purpose. I would say, furthermore, that my hon. friend can scarcely hope to accomplish any good purpose by moving this motion in this Chamber. This is a subject matter which has to do with the representation of Prince Edward Island in the House of Commons. The terms of union assure to that province a fixed number of senators, without fear of any disturbance whatsoever under any Redistribution Bill; but when we discuss representation in the popular Chamber, I need

not say to hon. gentlemen here that the popular Chamber would naturally resent any address which we might seek to pass without its being the joint address of both Houses to the Imperial House. I would, furthermore, say to my hon. friend that the Imperial Parliament would give no regard whatsoever to an address simply of this Chamber without its being joined by a similar address from the House of Commons, and more particularly in view of the fact that a similar motion was negatived during the present session in the House of Commons, as my hon. friend very well knows. My only suggestion is that the province of Prince Edward Island should proceed to take this up with the other provinces of Canada, and upon obtaining their sanction in an interprovincial conference —as very possibly might be successfully done—then my hon. friend, or any of the representatives of Prince Edward Island, might then come with every confidence to the Dominion Parliament, and I am sure that whatever the wishes of the other provinces of Canada may be as to meeting the wishes of Prince Edward Island, this Parliament would doubtless give effect in so far as possible to any such agreement or arrangement.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—If I were in order I would like to say here to the House and the country that a more unfair representation of a constitutional question I have not heard.

Hon. GENTLEMEN: Order, order.

The SPEAKER—The hon. gentleman has already spoken on the subject.

Hon. Mr. CLORAN—You allow me to get half way through and then stop me. Now what is the sense in that?

The SPEAKER—The hon. gentleman is out of order. The hon. gentleman will take his seat.

Hon. Mr. CLORAN—Certainly I will, no doubt of that, but I ask you—

The SPEAKER—The hon. gentleman will please take his seat.

Hon. Mr. CLORAN—No, he won't; he has done it; but I will say it is most unfair; I want that to go on record—a most unfair representation.

On the question being put, the motion was declared lost.

Hon. Mr. CLORAN called for yeas and nays.

The SPEAKER—The yeas and nays must be called for by two members.

Hon. Mr. CLORAN—I understand the hon. Senator from Halifax (Hon. Mr. Power) called for yeas and nays; I seconded it; has he withdrawn his call?

Hon. Mr. POWER—I voted yea, but I did not call for a division.

Hon. Mr. CLORAN—All right, I back out.

CANADIAN PATRIOTIC FUND ACT AMENDMENT BILL.

SECOND READING.

Mr. LOUGHEED moved the second reading of Bill 39, "An Act to amend the Canadian Patriotic Fund Act 1914."

He said: The object of this Bill is to enlarge the scope of the existing Act. It is proposed to give authority to the Patriotic Fund Committee to grant assistance in case of need to residents of Newfoundland, the wives and children and dependent relatives of officers and men who are on active service in the Canadian naval or military forces notwithstanding the fact of their being in Newfoundland. There are quite a number of Newfoundlanders who have entered the service of Canada, and it is only right that the advantages of this fund should be extended to their families.

Hon. Mr. BOSTOCK—Would the hon. gentleman say what service they have entered?

Hon. Mr. LOUGHEED—Chiefly the naval service, if not altogether. There is another important amendment being made, and that is to permit of the fund being applied to officers and men residents of Canada who return to Canada incapacitated by wounds, injuries or disease received or contracted while on active service; also to permit of the same being paid to residents of Canada who are widows, children and relatives of men who are residents of Canada who have died of wounds, injuries or disease contracted while on active service. Then it extends the time for granting this assistance for six months after the cessation of war. I move the second reading of the Bill.

Hon. Mr. BOSTOCK—I do not wish to appear as opposing this Bill in any way, but I would like, for information, to know from my hon. friend how clause 3 would be interpreted. It says:

3. The corporation may also, during the war and for six months after the termination of the war, assist in case of need.

Is there any intention of the Government taking any steps with regard to pensions after that period of six months? Has that question been considered at all as to pensions to widows and families?

Hon. Mr. LOUGHEED—Yes, I would say to my hon. friend that the subject is receiving the serious and very close attention of the Government at the present time, and I presume at an early day the Government will take the necessary steps to give publicity thereto. The question of pensions will, of course, have nothing to do with the Patriotic Fund.

Hon. Mr. BOSTOCK—No; I meant with regard to this question of six months. Of course it proviues that the Patriotic Fund may support those people for six months, and I presume after that time there will be some idea that a pension arrangement would come into force.

Hon. Mr. LOUGHEED—Yes, I hope before that.

Hon. Mr. DANDURAND—This Act is for the purpose of filling the gap between the return of the soldier and the time when he goes on the pension list.

Hon. Mr. LOUGHEED—Yes, the time when he gets settled down to the ordinary routine of life.

The motion was agreed to, and the Bill was read the second time.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 57, An Act to amend the Senate and House of Commons Act.

He said: Owing to certain members of Parliament being on active service it is necessary to amend the Senate and House of Commons Act. One of the amendments is to provide that persons members of Parliament, who are absent from Parliament on active service shall not be ineligible for members. Another amendment makes provision that the members shall not be disqualified for being on service in naval or military forces during the war whilst receiving compensation from the Crown and which, under the Senate and House of Commons Act to-day is not permitted. Furthermore, we provide that no deduction of the indemnity shall be made as to members who are on active service; they shall be entitled to their indemnity as if they were attending Parliament.

Hon. Mr. BOSTOCK—I would like to draw my hon. friend's attention to this Act. I understood him to say when this Bill was introduced that this Act was also to apply to the Senate.

Hon. Mr. LOUGHEED—Yes, so it does.

Hon. Mr. BOSTOCK—I do not read it that way. On referring to the statute in the Rev. Stat. of Canada, 1906, chapter 10, cited in the first clause of this Bill, I find that section 11 of the Act has at the head of it, "Members of the House of Commons"; therefore section 11 of the Revised Statutes only applies to members of the House of Commons.

Hon. Mr. LOUGHEED—Yes, it is only necessary in such a case; that is, this would apply to the eligibility of the individual to become a member of the House of Commons. Of course a senator is placed in an entirely different position. The other clause would be to the advantage of the senator; that is, he shall not be disqualified by being in service.

Hon. Mr. DANIEL—Supposing that a member of this House became an officer or even a private soldier for that matter, in our expeditionary force, and he were not here for two sessions, would any legislation that we passed have any effect in preventing him from losing his seat?

Hon. Mr. BOSTOCK—I do not want to press this particular point now, but I think when we go into committee I will do so, and I hope my hon friend will look into that matter.

Hon. Mr. LOUGHEED—If my hon. friend points out any defect of that kind we shall be glad to rectify it.

Motion agreed to, and Bill read the second time.

BILLS INTRODUCED.

Bill (C), An Act for the relief of William Ewart New.—Hon. Mr. Talbot.

Bill No. 12, An Act to amend the Independent Order of Foresters Consolidated Act.—Hon. Mr. Corby.

Bill No. 16, An Act respecting the Title and Trust Company and to change its name to the Chartered Trust and Executor Company.—Hon. Mr. Douglas.

Bill No. 27, An Act respecting the St. Lawrence and Adirondack Railway Company.—Hon. Mr. Davis.

Bill No. 28, An Act respecting the Toronto Eastern Railway Company.—Hon. Mr. McHugh.

Bill No. 31, An Act respecting the British Columbia Southern Railway Company.—Hon. Mr. Bostock.

Bill No. 32, An Act to incorporate The Brulé, Grande Prairie and Peace River Railway Company.—Hon. Mr. Pope.

Bill No. 34, An Act respecting the Manitoba and Northwestern Railway of Canada.—Hon. Mr. Watson.

Bill No. 36, An Act to incorporate the Northern Pacific and British Columbia Railway Company.—Hon. Mr. Bostock.

Bill No. 37, An Act respecting the Peace River and Athabaska Railway Company.—Hon. Mr. Pope.

Bill No. 39, An Act respecting the Vancouver, Victoria and Eastern Railway Navigation Company.—Hon. Mr. Bostock.

Bill No. 41, An Act respecting the Athabasca and Northern Railway Company.—Hon. Mr. De Veber.

Bill No. 42, An Act respecting Canada Preferred Insurance Company.—Hon. Mr. Bostock.

Bill No. 45, An Act respecting the Vancouver Life Insurance Co.—Hon. Mr. Bostock.

Bill No. 46, An Act respecting the Western Dominion Railway Company.—Hon. Mr. Talbot.

Bill (C), An Act for the relief of William Ewart New.—Hon. Mr. Talbot.

Bill (D), An Act for the relief of Helene Suzette Baxter Douglas.—Hon. Mr. Daniel.

SECOND READINGS.

Bill No. 4, An Act respecting The Alberta Central Railway Company.—Hon. Mr. De Veber.

Bill No. 5, An Act respecting The Athabaska and Grande Prairie Railway Company.—Hon. Mr. Talbot.

Bill No. 6, An Act respecting The Brantford and Hamilton Electric Railway Company.—Hon. Mr. Ratz.

Bill No. 7, An Act respecting The British Columbia and White River Railway Company.—(Hon. Mr. Dandurand.)

Bill No. 9, An Act respecting The Essex Terminal Railway Company.—Hon. Mr. Taylor.

Bill No. 10, An Act respecting The Grand Trunk Railway Company of Canada.—Hon. Mr. Thompson.

Bill No. 13, An Act respecting The Montreal and Southern Counties Railway Company.—(Hon. Mr. Dandurand.)

Bill No. 21, An Act respecting The Canadian Northern Ontario Railway Company.—(Hon. Mr. Taylor.)

Bill No. 22, An Act respecting The Canadian Northern Quebec Railway Company.—(Hon. Mr. Ross.)

Bill No. 23, An Act respecting The James Bay and Eastern Railway Company.—Hon. Mr. Mitchell.

Bill No. 24, An Act respecting The Ottawa and New York Railway Company.—Hon. Mr. Davis.

Bill No. 25, An Act respecting The South Ontario Pacific Railway Company.—Hon. Mr. McHugh.

Bill No. 26, An Act respecting The Southern Central Pacific Railway Company.—Hon. Mr. Bostock.

The Senate adjourned till three o'clock to-morrow.

THE SENATE.

Wednesday, March 10, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (E), An Act respecting the Premier Trust Company.—Hon. Mr. Belcourt.

Bill (F), An Act respecting the Edmonton, Dunvegan and British Columbia Railway.—Hon. Mr. Talbot.

Bill (G), An Act respecting the Patent National Wood Distilling Company.—Hon. Mr. Bostock.

UNEMPLOYMENT IN CANADIAN CITIES.

INQUIRY.

Hon Mr. BOSTOCK rose to

Call attention to the condition of employment at present existing in several cities throughout Canada, and to inquire if the Government are taking any steps with a view to dealing with the situation?

He said: In drawing the attention of the Government to this question of employment throughout the country, I want to make a few remarks for the purpose of showing, if I possibly can, the position that exists at the present time. As hon. gentlemen know, through causes which have now been in effect for some time, the condition of employment throughout this country from Halifax to Victoria, is such that there

are probably more people seeking employment to-day in the principal centres of the country, than there have been on former occasions. It is not possible to get any exact statictics dealing with this matter, to show what the exact position of affairs is, but it is within the knowledge of hon. gentlemen in this Chamber that this condition exists at the present time, and that it is due to various causes, affecting not only this country, but the whole world at the present moment. The condition does not at the present time show any signs of improvement; in fact from information that we have, especially from the West, I fear that condition is rather apt to get worse than better, and it is principally from that point of view that I wish to direct the attention of the Government to this whole question, and to obtain, if possible, some idea if there is any possible way of dealing with this matter, and bringing about an improvement in the condition of things throughout the country. When there is a condition of depression throughout the country, and when work on the railroads and work for the development of the country is not as abundant as it has been, the natural condition is that people drift into the towns. Men who are best employed in the work of the country, men employed on the farms and in other development work of the country of that kind, are naturally inclined to drift into the towns, and very often, through a lack of employment get into a condition where they are not nearly as useful or as able for work at a later period as they would be if they could be looked after in some shape or form.

We hope that in this coming summer there will be a great deal of work in the country and on the farms owing to the development of the extra amount of land that has been brought under cultivation, and the crops that we hope to see this country produce this year. It is very largely on account of this that I want to ask the Government if any steps have been taken for the purpose of arranging that those men who are now drifting into the towns, and have largely filled the ranks of the unemployed in urban centres will be placed in such a position that they can find out where their services are most keenly wanted and can be made use of with the greatest advantage. This is, of course, a large question, which has been dealt with to some extent by the municipalities in different parts of the country; but the condition under which municipalities suffer in dealing with a question of this kind is that they are not sufficiently in touch with one another to be able to bring about the interchange of ideas and the information which is necessary to place these men where their services are most required. If some system were adopted whereby, not only between the municipalities, but also possibly to some extent by the Provincial Governments, there could be help in arranging to give these men the information necessary to bring the employers and employed into better communication with one another, it would very materially assist in the solution of this problem. The Dominion Government is really the right authority to take up this matter and deal with it. If it is taken hold of by the Dominion Government the danger of overlapping would be very materially done away with, and a lot of probably unnecessary work would be avoided. The system of labour bureaus has been dealt with in Great Britain for a number of years. It can be shown there that the work has been very satisfactorily carried out, and that good results have been obtained through the development of those bureaus. At the time the plan was first mentioned and first organized in England, the trades unions and other associations with whose members it was proposed that those bureaus should deal, were very considerably opposed to it. Since that time they have learned to realize the value of those labour bureaus, and in subsequent years, at meetings of the trades unions and other public meetings of that kind, they have found that the assistance given to members of the unions by those bureaus established throughout the country has been very great, and they have passed resolutions putting them in the position of favouring very strongly the system as it now exists in England.

In Great Britain the Board of Trade has constituted advisory committees for the purpose of giving advice and assistance in the management of labour exchanges. The methods of dealing with country districts are the distribution at the post office of registration forms to be filled in by applicants for employment and to be posted to the nearest exchange, and this enables those people to obtain information which it is not always easy for them to obtain in other ways; and this results in bringing together the employer and employees very much more quickly and conveniently than was done before the estab-

lishment of these exchanges. Of course they have a regulation which provides that at a time when a dispute is going on between the trades, where the wages are lower than those current in the trade or district where the employment is being sought, that those bureaus will not interfere in any way with the condition then existing, and by this regulation they do not interfere with the work of the union, or with the question of the rate of wages as between the employer and employee. They also have a provision for advancement of fares so that employees may be sent from one part of the country to another at a reasonable rate; as far as Great Britain is concerned it has been found that this arrangement works out very well; there has been very small loss in dealing with this question. That is a matter, of course, which might be very much more difficult to handle in a country as large as the Dominion of Canada.

The other day I read in the Ottawa Citizen a notice with regard to what was being done in the city of Toronto. The item reads as follows:

> Toronto Prepares to Aid Unemployed.
> Give-a-Man-a-Job Association Formed.
>
> Toronto, March 4.—At a meeting this afternoon including representatives from every phase of charitable work in the city, a Give-a-Man-a-Job Association was organized, Mayor Church being the instigator. A strong advisory committee was appointed to prepare details and devise a comprehensive scheme to relieve the unemployed situation in the city. The mayor advocated the reorganization of the labour bureau and considerable increase in its scope. "If outside municipalities will take care of their unemployed," said the mayor, "Toronto, which has been a dumping ground for the province, will do its duty.' A number of suggestions were made which will be considered by the committee.

The mayor brought out in that statement a condition which I am trying to impress upon the House—that it is not only in the big centres that this question of unemployment requires to be dealt with, but also that, in the smaller municipalities and the country districts, something should be done to prevent those men drifting into the big centres where they naturally think that a great deal more work exists but where, in all probability, they may find that there is no more work, or not as much, as in the districts which they have left. Of course, there have been a number of petitions presented to this House dealing with this question and expressing the opinion of public bodies and other people on the question of the establishment of labour bureaus throughout this Dominion of Canada; and if I am rightly informed the matter was brought to the attention of the Minister of Labour either last year or the year before, and I think that he promised to take some action in connection with it. As far as I know, nothing has definitely been done with regard to that, and I presume he has not had time to give it all the consideration that he thinks the question deserves. But I submit that at the present time this is a question which is of very considerable importance to this country, and that it should receive attention as soon as possible. We know, of course, at the present moment that the demand for labour in Great Britain is very great, and that there might be a possible suggestion that something could be done by the Government to arrange with the home Government that certain special skilled men on this side who were not in a position to find work at the present time should be transferred for a short period over there—say during the period while the war is on. They might be of use to the country. We saw in the paper the other day that the Government in England had taken very drastic measures to deal with the whole question, so that they may be in a position to have a plentiful supply of munitions of war and other necessary supplies required for carrying on the great struggle in which the country is engaged at the present time. It is, of course, rather a wide suggestion to make, but the Government might find we could be of very valuable assistance to the country; both a help to this country and also to the Empire in dealing with the matter in this way, and also in rendering assistance to the people at home. This is a matter which requires attention at the present moment.

Hon. Mr. DAVIS—I was not aware that this matter was going to be discussed today, and I wish to speak on it. It is a matter of some importance and the data cannot be collected in a day; I therefore move that the debate be adjourned until Tuesday next.

The motion was agreed to.

COAL IMPORTED FROM UNITED STATES FOR INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. Power inquired of the Government:

1. How many tons of coal have been purchased yearly from the United States for the

Intercolonial railway since and including the year 1896?

2. What did the said coal cost per ton delivered on the main line of the Intercolonial railway, say between Ste. Rosalie and Halifax?

3. Who were the ministers in charge when these purchases were made?

4. What reasons were given to justify the purchase and importation of said United States coal?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. 1900-01, 61,079 gross tons; 1908-09, 36,059 gross tons; 1913-14, 15,331 net tons.

2. 1900-01, 14,300 gross tons at $3.75 f.o.b. cars, Montreal; 27,646 gross tons at $5.30 f.o.b. cars, St. John; 3,977 gross tons at $3.93 f.o.b. cars, St. John; 556 gross tons at $4 f.o.b. cars, St. John; 14,600 gross tons at $4.20 f.o.b. cars, St. John; total gross tons, 61,079.

Above prices do not include duty of 59cts. per gross ton, as the coal was admitted free of customs' charges.

1908-09: 36,059 gross tons at $4.85 f.o.b. cars, St. Hyacinthe, duty paid.

1913-14: 15,331 net tons at $4.10 f.o.b. cars, Ste Rosalie Junction, duty paid.

3. 1900-01: Honourable Andrew G. Blair.
1908-09: Honourable George P. Graham.
1913-14: Honourable Frank Cochrane.

4. 1900-01: Apprehension on the part of the management that friction between miners and certain coal operators would lead to cessation of work.

1908-09: Strike in existence at the Springhill Mines and inability of other collieries to make up shortage.

1913-14: Greater consumption of coal than anticipated and inability of management to obtain additional quantities required, when wanted, from usual sources of supply.

ONTARIO BILINGUAL SCHOOL QUESTION.

MOTION.

Hon. Mr. DAVID moved:

This House, without derogating from the principal of provincial autonomy, deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bilingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation and with the spirit of our constitution.

Hon. Mr. POWER.

He said: At the session of 1906, I concluded a speech in the Senate by the following words:

"Preserve the Senate, improve it, if you like, but keep it, in order that it may fulfil its mission of peace, order, harmony and justice."

It is under the inspiration of the same views and feelings that I now rise, and I think it proper to declare, "That I was induced by no person, either in this House or elsewhere, to make the present motion; that I alone am responsible for it, and that it is in accord with my well-known ideas, so often expressed, as to the mission of the Senate."

One of the main reasons alleged by the Fathers of the Confederation to justify the establishment of the Senate was, that a High Chamber, where all the provinces would be equally represented, would afford adequate protection to minorities. In order to meet the objections of his adversaries, and even of some of his friends, to the representation of the provinces in the House of Commons being based upon population, Sir George Etienne Cartier declared several times that the province of Quebec, being represented in the Senate by one-third of its members, would find there the protection which it might require, either for itself or for Catholic and French minorities, in the different parts of the country. He said, and his organs repeated, that there would always be in the Chamber enough reasonable people to do what was right and just towards all creeds and nationalities. I was one of those who did not share entirely his confidence and did not believe his predictions. But the honourable members of this House will, I hope, take advantage of this occasion to justify his hopes and views.

Sir John A. Macdonald and George Brown, the two principal Fathers of the Confederation, expressed about the same views on the object of the establishment of the Senate and its mission. The fact that the members of that House are appointed for life was considered as a guarantee that they would do justice impartially and independently, would fill the functions of a high court of justice, of a board of arbitration, of conciliation.

Well, there is a province, the province of Ontario, where a minority considers itself ill-treated, and deprived of one of its most sacred rights, by the famous by-law No. 17. Has the French minority the right to complain of that by-law, to contend that it has changed its position as regards the teaching of the French language? It is a fact which

cannot be denied. It has been clearly established in very eloquent and forcible speeches and pleas by our colleague, the Honourable Mr. Belcourt, and several other gentlemen, Irish, English and French. It has been officially admitted by the commission of six inspectors appointed by the Department of Public Instruction, to report upon the operation of the by-law. That commission was composed of three (3) French-Canadians and three (3) English-Canadians, who unanimously reported as follows:

> We consider the by-law as an attempt to gradually eliminate the French language from the English-French schools.

That such was the object and would be the effect of the by-law has been so frankly admitted by some of the most important advocates of the by-law, that I consider useless to insist now on that point.

Is the by-law legal or constitutional? It is a big question, upon which the Privy Council will pronounce before long and which I prefer not to discuss now. I rather wish to place myself on the larger and higher ground of patriotism and of public interest, of fair play, justice and conciliation, and express views which cannot be contested.

It cannot be denied that the new by-law has changed the condition of the French in the schools of the province of Ontario and that it is a cause of agitation, of national friction which must be deplored by all those who love their country and are convinced that peace and harmony between the different creeds and nationalities of Canada are necessary for its welfare and prosperity and for its future. And if there was ever a time when feelings of fraternity should prevail in Canada, it is the present time, when our mother countries are fighting so heriocally on the battlefields of Europe for the triumph of right and justice, and cementing their alliance in the blood of their brave soldiers, in the interest of civilization and humanity, in order to restore to certain weak nations and states their natural rights. There is no doubt, hon. gentlemen, that one of the main results of the present war will be the partition of Europe, based upon the principle of nationalities, the restoration to those small peoples of their national life.

Will there be only one country, only one province where national friction will continue to exist and will that province be the great, prosperous and intelligent province of Ontario? Will Canada alone give the example of national and religious quarrels, so detrimental to its welfare and progress? I cannot better express the views and feelings of reasonable people on that question than by quoting what has been said and published by eminent men and important newspapers of different creeds and nationalities. I have beside me the speech of Sir John A. Macdonald, the great chieftain of the Conservative party, whom all the Conservatives so much loved and admired. I cannot help quoting what he said on the same question in his speech as reported in the debates of the House of Commons in the year 1890, page 894:

> In a few remarks I made the other night I intended to have called the attention of my hon. friends from the province of Ontario to what was the action of the province of Upper Canada in 1793, but I was tired, and held it over for another opportunity.
>
> I will call attention to it now, to show what was the feeling of the people of Upper Canada a century ago. By a very unwise measure, although introduced by a very great man, Mr. Pitt in 1790, the old province of Quebec was divided into two—Upper and Lower Canada. It was thought that matters would be simplified by keeping the French in one corner of this vast country, and the English in another, and they divided the province of Quebec into provinces. From that unwise measure came most of our troubles. The Legislature met in 1791 at Newark, afterwards Niagara, and was composed of Englishmen. They were severed from the French, but they had a colony of French on the western frontier of the province of Canada, what is now the county of Essex. These Frenchmen were few in number, but their rights were protected at the second meeting of the Legislature of Upper Canada. The province was a small one and poor, and could not afford even to print the proceedings of its Legislature; but the people regarded the feelings of their fellow-countrymen. Let me read the resolution, which is still in manuscript. The original volume will be found in our library. This is the order of June 3, 1793:
>
> "Ordered that such Acts as have already passed, or may hereafter pass the Legislature of this province be translated into the French language for the benefit of the inhabitants of the western district of this province and other French settlers who may come to reside within this province, and that A. McDonald, Esq., of this House, member for Glengarry, be likewise employed as a French translator for this or other purposes."

Now, this is the inference he drew from that resolution, and which is better stated than anything I can say:

> Are we, one hundred years later, going to be less liberal to our French-Canadian subjects than the few Englishmen, United Empire Loyalists, who settled Ontario. No, Sir. This resolution would cause shame on men who tried to deprive our French friends in the province of Ontario of the privilege given them a hundred years ago by a body of men altogether speaking

the English language. There may have been among them one member from the western district, of French origin—perhaps Monsieur Baby, who for years was the sole representative in the province of Upper Canada of that portion of the French race who were living in Upper Canada. Are we going to be less liberal? Forbid it, Mr. Speaker. In the name of humanity, in the name of civilization, in the name of the progress of this country, I appeal to all our friends in the House, without reference to party, to forget what may be an inconvenience when they go back to their constituents on both sides, to forget that for a moment, and to merge everything in the great desire to make Canada, French and English, one people, without any hostile feeling, without any difference of opinion, further than that which arises from the different literatures and the different strains of mind that run always in different races and which sever the Scotchman and the Irishman from the Englishman as much as it severs the Frenchman from the Englishman. Let us forget this cry, and we shall have our reward in seeing this unfortunate fire which has been kindled from so small a spark, extinguished for ever, and we shall go on, as we have been going on since 1867, as one people, with one object, looking to one future, and expecting to lay the foundation of one great country.

In 1890, speaking on the motion to abolish the French language in the Northwest territories, Sir John said:

We have a constitution now, under which all British subjects are in a position of absolute equality, having equal rights of every kind, of language, religion, of property and of person.

Please remark hon. gentlemen the words: "equality of language"—does by-law No. 17 respect the views and advice of the eminent statesman?

Sir John Thompson moved in amendment to that motion, as follows:

That this House, having regard to the long continued use of the French language in old Canada, and to the covenants on that subject embodied in the British North America Act, cannot agree to the declaration contained in the said Bill as the basis thereof, that it is expedient in the interest of the national unity of the Dominion that there should be community of language amongst the people of Canada.

Sir John Thompson, as you see, hon. gentlemen, refused to admit that the community of language was in the interest of the national unity of the Dominion.

All the Prime Ministers of Canada, including our most esteemed colleague, Sir Mackenzie Bowell, held the same language and took the same position towards the rights acquired or possessed by minorities.

I shall take the liberty of quoting the words pronounced by Sir Mackenzie Bowell. There are many things which I could cite, many quotations which I could make, all so eloquent and good as deserving to be again recorded, but I will be content with citing the following one, which is so much in accord with the position I take now; it is the justification of my motion, which does not go further than these words pronounced by our honourable colleague.

I took this ground in the Government of which I had the honour of being the head for a short time, and the Government of which I was a member under other heads, that certain rights were guaranted by the constitution to all, whatever their race or creed might be, and that these rights should be respected at all hazards. I am still of that opinion, whether the complaint come from the Protestants of Lower Canada, or the French half-breeds of the Northwest, it is a matter of perfect indifference to me—it is simply a question of the constitution and the maintenance of peace and harmony throughout the country.

They all declared that our national or religious difficulties should be settled by way of conciliation.

I think proper now to read an extract from the eloquent speech made by the Premier of Quebec, Sir Lomer Gouin, at the opening of the Legislature:

I desire to make an appeal in the name of the entire population of Canada—of English Canadians, Scotch and Irish, as well as French-Canadians—to the Government and to the majority of the province of Ontario. In the name of justice and of the generosity of which England has given so many proofs, and which cannot fail to animate every truly British citizen, as well as in the name of the struggles which our forefathers sustained in opening to civilization the rich domains which are our common patrimony, I ask that justice be done to the French minority of Ontario, and that if necessary they be not only justly, but even generously dealt with. In the name of the sublime expressions that it has given to human thought, I ask for the French language the right to come to the lips of the school children of Ontario who wish to learn and to speak it.

Let us see now how this eloquent appeal to fair play and justice was appreciated by the Journal of Commerce of Montreal:

In this eloquent passage we have the finest spirit of true Canadianism. Canada is a country inhabited by peoples of different races and different creeds. It is a land where above nearly everything else, we need toleration and broad-mindedness. It should not be necessary to argue as to the legal rights of minorities. The majority everywhere, especially when such delicate questions as those of race or creed arise, should not ask themselves, "how little can we grant to the minority and still keep within the law," but. "how much can we grant, how far can we go, without doing injustice to any to meet the claims, the wishes and even the honest prejudices of the minority?" We are confident that if the question of the French language in those sections of Ontario where the population is largely French is approached in the spirit

set forth in Sir Lomer Gouin's speech, a solution will be found.

The Star of Montreal, and other English papers expressed the same views and gave the same advice.

The News of Toronto, suggested that the meeting of a conference between representatives of the province of Quebec and the Minister of Public Instruction of Ontario be held in order to come to some amicable arrangement.

Sir Lomer Gouin's speech which I have just read was made in support of a motion similar to the resolution which is now before this House and which was moved and seconded in the Quebec House by two English members, Messrs. Bullock and Finnie.

Let us listen now to the voice of a man who enjoyed during many years the confidence of the province of Ontario, Sir Oliver Mowat:

The French population contributed to the support of the schools, and the object sought could be secured a thousand times more effectually by respecting their prejudices, by respecting their love for their language, by respecting their desire that their children should be taught their own tongue, than by adopting a coercive policy (cheers). He wanted the French to learn their language, to study their language, to read books in their language, and he wanted them all to study the language and literature of England. The object aimed at could never be accomplished by exhibiting a spirit of hostility to the French population. Certainly not by proscribing the use of the French in the schools.

Sir George Ross said:

It is proper, it is just, it is desirable, it is natural that the children whose mother tongue is French should learn the English language by the intermediary of his maternal tongue.

Sir James Whitney has on record the following letter written to a priest:

25th July, 1911.

Reverend and Dear Sir:

I am directed by the Prime Minister, Sir James Whitney, to acknowledge your letter of the 21st and to state that no change has been made in the School Law or the Departmental Regulations affecting the study of the French language in the schools.

I am directed to point out that the question is one entirely under the control of the board of trustees.

(Signed) A. H. U. Colquhon,
Deputy Minister of Education.

Please now give your attention to the opinion expressed by the late Hon. M. MacKenzie, ex-treasurer of the province of Quebec, in a letter written two years before his death, and published lately by Le Devoir, of Montreal:

I am fully convinced that the new regulations of the Department of Education in Ontario are contrary to the intent, meaning and spirit of the provisions regarding education contained in the British North America Act, which has always been regarded as the educational settlement.

The requirements that after the first year, French speaking pupils must take the ordinary school subjects in the English language, seems to me severe and unjust. One does not need to be a practical educator to see that satisfactory results in the way of true education cannot be obtained from such a system.

The rights and privileges of minorities were very simply considered by the fathers of Confederation, as one may see by reference to the debates of 1865, and the clauses in the British North America Act, viz.: Subsection 1, and subsection 3, of section 93, regarding these rights and privileges, should be loyally respected and observed.

The freedom of the English minority in the province of Quebec in regard to its language and its schools has never been restricted by the French majority. In fact the Legislature has given to the Protestant Committee of the Council of Public Instruction, the power to control the organization of Protestant schools, to prescribe text books and courses of study, and generally to be independent of the majority in scholastic matters.

I trust and hope that a settlement of the question in our sister province may finally be made in accordance with the same spirit of justice and right feeling and according to the true intent and meaning of the educational provisions of the British North America Act.

The same wish and hope has been expressed by many other English and Irish gentlemen who have had the courage of protesting against the extreme views of some of their countrymen. Our Irish compatriots cannot forget the patriotic efforts, the struggles and sufferings of their ancestors in order to preserve their native language and their national institutions. They cannot but sympathize with those who, under the empire of the same feelings pursue the same patriotic object. And they cannot forget that in their struggle for Home Rule they have had the sympathy of the French Canadians. They cannot forget that in the great calamity of 1848, when thousands of Irishmen died on our shores, hundreds of their poor children were harboured, brought up and educated by our priests and French families. I could name several of those children who, owing to that protection, have prospered and become good and eminent citizens. The French Canadians think they have good reason to rely upon the sympathy of the Irish population, when following their example they vindicate their rights.

Mr. H. O'Hagan at a conference in Montreal, gave some very interesting statistics in this connection. He said:

In Wales 46 per cent speak the Welsh tongue, and the natural language is taught to the children. In Ireland 641,000 speak the Irish language, which is now an obligatory language for matriculation and graduation in the Nati-

onal University of Ireland. Last summer 14 colleges in Ireland gave course in Irish during the months of July and August. In the month of December 1910 it was announced that there were 181 schools in Ireland in which complete courses of study were given in both Irish and English. In Scotland 250,000 speak the Gaelic tongue; and in the Islands there are many schools for the teaching of this language. He cites what is taking place in the Channel Islands, in Malta, in Switzerland, in Austria, in Sweden, in Switzerland especially, where there are three languages—German, French and Italian, which are taught in the schools. But it would take me too long to cite them all.

Dr. Foran has been kind enough to send me an extract of a patriotic article published by Thomas Osborne Davis, a true patriot, uncle of our colleague, Senator Davis, in the Nation, No. 1843, which extract reads as follows:

The language which grows up with a people is conformed to their organs, descriptive of their climate, constitution and manners, mingled inseparably with their history and their soil, fitted above any other language to express their prevalent thoughts in the most natural and efficient way. To impose any other language on such a people is to send their history adrift amongst the accident of translations. A people without a language of its own is only half a nation. A nation should guard its language.

After having made the history of the Irish language, its troubles and struggles, Mr. Davis concludes by the following eloquent words:

The language was so characteristic of the race that the most fearful extremes were resorted to in order to abolish it, because it preserved its history, embalmed their traditions and perpetuated their nationhood.

I am sure that our esteemed colleague thinks and feels on that question as his distinguished uncle did.

Hon. gentlemen, we French people have our faults, which resemble to a great extent those of the Irish; we are a little too quick and impressionable, but we are always ready to sympathize with those who suffer, who are unhappy or ill-treated. We are faithful to our religious and national traditions, and if we were not, we would be justly despised by our English and Irish countrymen. And it has been affirmed by the most eminent men in England that the diversity of nationalities was an element of progress and civilization. We love our maternal language and we want to preserve it, because it is the language which was spoken by the discoverers of this country, by the courageous pioneers who left everywhere glorious traces of their passage through British North America. The fact is that if all the seas, and the lands, the forests and the mountains from the Atlantic to the Pacific, and from Hudson bay to the waters of the Mississippi, which have been immortalized by the courage, the heroism of our ancestors, had a soul and could speak, they would ask us to preserve the civilized language which first broke the silence of their vast solitude, and their tongue would, in truth, be French. It is the language by which we were taught to adore and pray God, and to cherish British institutions and British liberty; the language spoken by all kings and princes of Europe, by the Royal Family, by all the eminent gentlemen who come from England to govern our country, the language spoken with so much elegance by H. R. H. the Duke of Connaught and his noble family, the language used by the great men who have enriched and adorned the intellectual world with so many literary jewels.

The French Canadians of Ontario know that their ancestors have fought and suffered and have very often shed their blood to transmit to their descendants that most precious part of their heritage, their language. Is it not cruel to ask them to abandon that treasure, to do what they would consider an act of cowardice and of treason?

Let us suppose for a moment that the Quebec Parliament would undertake, whether legally or not, to abolish the teaching of English in the schools of the province of Quebec. What would the British people say? What would they do? Do you think that the people of Ontario would remain indifferent and silent? No, no!

Who would dare in any part of the world deprive English children of their right of being taught in their maternal tongue, of using the language which has been the vehicle through the world of social and political freedom, the language spoken by some of the greatest poets, historians and speakers of the world! Milton, Shakespeare, Macaulay, Chatham, Pitt, Fox, Burke, O'Connell, Gladstone and many others.

Do you not think, hon. gentlemen, that the occasion is favourable to apply the golden rule: "Do not unto others what you would not have others do unto you"! I admit that if it could be alleged and proven that the use and the teaching of the French in the province of Ontario would be detrimental to the efficiency of the scholar system and to its intellectual progress, it would be damageable to our cause, but who can seriously make such an assertion? The public men of Ontario are too intelligent and

have too much experience not to be able to give satisfaction to the French people without imparing their schools.

And is it necessary to demonstrate that the use and teaching of two languages instead of being an element of weakness for a province or a country, is rather an element of progress, of intellectual development? Who will deny the advantage for a man or a people of having at his disposal, in order to develop his intelligence, the scientific, literary and poetical treasures of two great nations? Has the bi-lingual school system been detrimental to the moral and intellectual progress of the Belgians, that people of heroes? Not only in war but also in mechanics, industrial and fine arts, they have proved that they were inferior to no nation.

It has been said that the French spoken and taught in the province of Quebec and generally in Canada was bad and broken French. Alas! how many extravagant things have been said on both sides, and who would be entitled to throw the first stone. but to repel that assertion I have only to remark that if it were true the books and the speeches of our poets, writers and orators would not be appreciated and praised as they are in France. I could name a number of them. But I do not think it is necessary. Let me recall only that three or four years ago a great demonstration took place in France to celebrate the erection of a monument to Montcalm. Great speakers were heard, but it was acknowledged by the audience that the best speech had been made by a French Canadian our colleague, Hon. Mr. Dandurand. And lately at the immense demonstration which took place at Notre Dame de Lourdes in France, the two most admired and applauded speakers were two French Canadians, Mgr. Gauthier and Henri Bourassa.

Hon. Mr. CLORAN—He was not a Nationalist then.

Hon. Mr. DAVID—I cannot deny his ability, although I do not approve of all the opinions he expresses.

Where did those eminent writers and orators receive their formation? In our schools, in our colleges. As to the illiterate population, it has been acknowledged by eminent French writers that if the accent is rude and hard the French is good, better than it is in several departments of France.

The Canada of Montreal has published a few days ago, the views expressed by Mr. Faguet, one of the most brilliant French writers of France, on the question of nationalities. I call the attention of my hon. colleagues to the following extract from that remarkable production:

> Nations are particular, special, original organisms, which will prosper and thrive only in so far as their autonomy is respected and safeguarded.
>
> It would not be well for Europe to be dominated by the English or the Russian or even the French nation. The European spirit should no doubt exist, but it would precisely be the respect of the English spirit, the Russian spirit, or the French spirit and of their differences, that is to say, of their liberties.
>
> The first word of General Joffre to the Alsacians was: "We will respect your traditions." He spoke, when speaking thus, a truly philosophical language, a language inspired by the philosophy of history. No nation, not even the Roman nation, has imposed its yoke without extinguishing original civilizations, which not only had the right to live but had to live in the general interest of humanity. A nation is a torch. It is important that there should be several luminous centres in the world. If the German spirit were to dominate, twenty national spirits would be extinguished and destroyed. I am at a loss to see how Europe and humanity would benefit thereby.
>
> If humanity is with us, it is because it instinctively feels that several of its vitals are at stake and would be annihilated in the event of German supremacy being established. Indeed Germany wants to put out several eyes of humanity and replace them by one eye of cyclops.

Well, using the language of Mr. Faguet, I say that we have in Canada two lights, two great national lights and that we cannot extinguish the one or the other without affecting seriously the progress and the future of our country.

I do not think it improper to recall that in 1888, speaking in the Legislative Assembly of Quebec on the question of nationalities, I concluded my speech by the following words:

> I have no hesitation in declaring that even if it were in my power to abolish the English nationality in the province of Quebec I would refuse to do it, because I would not like to assume the responsibility of extinguishing one of the lights of Canada and of the whole world.

You see, hon. gentlemen, that my views on that question are not new. It is because the great statesmen of England have put into practice those views in all the British possessions that we see thousands of people running from all parts of the British Empire, even from South Africa, to the battlefields of Europe in order to help the Mother Country. Do you think that we would contemplate such a display of loyalty if everywhere, in all the British Empire, national rights and traditions were not respected? Justice, fair play, and toleration are the

best guardians of the British power in the world and I hope that Canada will not be the only country where they will not prevail.

Do not forget, hon. gentlemen, the lessons of history; do not forget that a national injustice is a seed of discord and may be compared to a malicious cancer which may ultimately endanger the whole system. Is not to a great extent, the present war, the horrible conflict which terrifies the universe, the result of the cruel spoliation of the French territory?

We are proud of our country, we entertain a high opinion of its destinies, and it is our bounden duty to avoid all which may jeopardize its glorious future.

I do not feel inclined to consider now the question in its legal and constitutional aspect, although it has been established by eminent lawyers that the spirit and a reasonable interpretation of the treaty of 1763, of the Act of Quebec of 1774 and of the Federal Act of 1867 entitle the French Canadians of Ontario to the teaching of the French in the schools of that province. I prefer to remain in the limits of the resolution and to say that there is a law above all other laws: it is the law of nature, which makes a man, a people, love, cherish and keep as a sacred treasure all the characteristic elements of its nationality. Nobody will deny that the national language is one of those elements.

There is another law, a Divine law, which was edicted by Christ himself, when he said to His Apostles: "Love ye one another as I have loved you."

There was never a time when it was more proper to address and repeat those sublime words to Canadians and even to the citizens of the whole Empire and to apply that noble precept not only for charitable purposes, but also for patriotic purposes, in order that being united they be strong enough to do what the interest of Canada and of the whole Empire requires. If the union of the French and the English is now so beneficial to their influence in the world and useful to civilization and mankind it is not less necessary here for the welfare and prosperity of the country and for its glorious destinies.

Those who leave our country, be they English, Scotch, Irish or French, to go and fight side by side on the battlefields of Europe give us a lesson, an example which we ought to follow. If we are not called to shed our blood as they do, we ought at least to have enough patriotism to avoid national quarrels equally dangerous to Canada and to the British Empire.

Really the time is ill chosen to give to the world the spectacle of our divisions, when we are preparing to receive all the unfortunate people who after the war will seek a refuge on our shores—a place where they would find peace, justice and fair play and the respect due their religious and national traditions.

Do not you think, hon. gentlemen, that they will fear to enter into a country troubled by internal divisions and where they will have reason to think that they can not find the rest which they so much desire?

There are now millions of people who pray the God of war, let us in Canada pray the God of peace who has been so good to us; let us sacrifice on its altars our national and religious prejudices in order that we may continue to live and prosper in peace and harmony. I hope that the hon. members of this House will not hesitate to give patriotic evidence of their spirit of conciliation and fair play by voting for a resolution which embodies the views of all those who put the general interest and welfare of our country above all other considerations

I hope that it will not be contended that the Senate should not intervene in such a matter, that it cannot appeal to the generosity, to the patriotism, to the noblest feelings of our people. It would be a bad precedent, a blow to the high opinion which we ought to have of the functions and of the noble mission of our Chamber.

A wish, a prayer, are always in order, and welcome to God and to man.

Hon. Mr. McHUGH—In seconding this resolution I do so on account of the broad and generous wording of it, and because of the confidence I have in the judgment and good sense of the mover to do and to say only that which makes for peace and harmony.

Let it be understood that this is not an attempt to invade provincial autonomy, but rather in the form of an appeal for full investigation by lawfully constituted authority in the hope that a solution of this disturbing question may be reached, a settlement that will let us hope commend itself to the good sense of the fair minded who on one side or the other feel interested in it.

The question is not insoluble, and if pressed home to our public men I have unbounded confidence in their ability to find a solution based on justice. Such a settlement may not satisfy the extremist on either side, but all reasonable people will I am sure welcome a settlement that will remove the present unrest.

The French people love their language, it is like asking them to silence conscience to ask that they forego the teaching of it to their own children.

I concede the right and even the necessity of the state to look after the education of our youth.

The child must have instruction, and that in no mean degree, if the man is to earn for himself an honest competence, and acquit himself of the duties which, for its own life and prosperity society exacts from all its members.

The family is one of the oldest organizations in the world, therefore do I say the imparting of such instruction is primarily the function of the parent. The Divine appointment is that under the care and direction of the parent the child shall grow in mind as well as in body. The state must come forward as an agent of instruction, but only when the parent refuses or neglects his duty, even then first principles should not be forgotten, since as I have already said instruction is primarily the function of the parent; the parent possesses the right to educate his child in the manner agreeable to himself, provided always that the education given in this manner suffices to fit the child for his ulterior duties to society. I do not purpose entering into details refarding the bi-lingual issue, nor do I expect that I could throw much light on it at present. However, I must say that my sympathies go out very strongly to my fellow citizens of the French Canadian minority in the province of Ontario when I note the generous manner in which they deal in Quebec with the English speaking minority. I cannot but wish that their example could without injustice to others be emulated in my own province.

At Confederation certain rights in regard to the English language was guaranteed to the minority of the province of Quebec at the same time similar rights to the French language were guaranteed to the minority of the province of Ontario.

Let me here read to you an extract from a recently published life of Sir George E. Cartier, you will then see what Sir George E. Cartier and Sir John A. Macdonald had to say for the protection of English in Quebec and French in Ontario at a time when these provinces were about to enter into Confederation. In answer to a question of Dorion's he said:

> Cartier, however, apparently felt that the spirit of fair-play and of justice amongst the English-speaking members of the Government and of Parliament would always be sufficiently strong to assure fair treatment for the French Canadian representation in the Federal Parliament, though the latter would be in a minority.
>
> It was also explicitely stated by both Cartier and Macdonald during the discussion that steps had been taken to guarantee the continued use of the French language. Dorion had expressed the view that there was no guarantee for the continuance of the language of the French Canadians but the will and the forbearance of the majority. John A. Macdonald in answer to this emphatically declared that it had been proposed and assented to by the deputation from each province that the use of the French language should form one of the principles upon which Confederation should be established and that its use would be guaranteed by the Imperial Act.
>
> To the remarks of his colleague Cartier added: "I will add to what has been stated by the honourable Attorney General for Upper Canada that it was also necessary to protect the English minority in Lower Canada with respect to the use of their language, because in the local Parliament of Lower Canada the majority will be composed of French Canadians. The members of the conference were desirous that it should not be in the power of that majority to decree the abolition of the use of the English language in the Legislature of Lower Canada any more than it will be in the power of the Federal Legislature to do so with respect to the French language. I will also add that the use of both languages will be secured in the Imperial Act, to be based on those resolutions.' Thus it was made perfectly plain by the two leaders that Confederation was to be established on the principle of perfect equality between the two great races of the country.

These remarks by such eminent statesmen of that day is, I think, reasonably conclusive evidence that the French Canadian minority were to have some rights in regard to their language in the province of Ontario in the Dominion that was then about to be created.

I desire now to quote for this honourable Chamber the words of Dr. J. K. Foran K.C., delivered last St. Patrick's day in St. George's Anglican church in this city.

This was some months before the outbreak of the present war, and delivered by a man who has consecrated his pen and voice for many long years past to this very cause. On the occasion referred to, Dr. Foran said as follows:

> "It is in the interests of the Empire I speak. We have heard and read, on all sides the praises of French Canadian loyality; it has been established by facts that are indelibly written in the history of Canada; and were we to find the Empire in danger to-morrow those facts would be repeated from one end of Canada to the other, wherever a French Canadian is to be found. Did you ever ask yourselves what was the source of that extraordinary loyalty to the Empire on the part of a people whose ancestors were the pioneers of Canada but whose old motherland was France? Permit me to tell you whence comes that fervent loyalty. It has its origin in the gratitude of the French-Canadian for liberty accorded and

guaranteed to them by the Constitution, and in that peculiar sense of duty which is a characteristic of their teachings.

"Do you not think that we are on the verge, right here in Ontario to-day, of up-rooting one of the sources of that loyalty? Are we not running the great risk of effacing that feeling of gratitude and that sentiment of confidence in those who administer the provisions of that Constitution, in the hearts of that same people? Reflect upon it from that point of view. Is it in the interests of Canada, or is it in the greater interests of the Empire that aught should be done to weaken, even in the slightest manner, that bond of union which makes for solidarity and harmony?

"My questions need only to be asked; I do not require to dwell upon the obvious reply. If a point is to be strained in any direction, should it not be in favour of drawing tighter bonds of union between all elements in Canada—for the mutual prosperity of every section of this Dominion, and for the greater stability of the whole Empire. Think it over: is it not worth while so acting that Canada may be enabled to set another column in the grand Temple of Empire—a column that no Samson of prejudice or intolerance can ever shake?"

It is this sentiment so well expressed by Dr. Foran it seems to me that underlies the whole issue.

There is in the learned doctor's words a strong plea for unity, for loyalty, and for patriotism—unity of our people, loyalty to our Sovereign, and patriotism to our country. What magic there is in that word "patriotism!" Praise it as you will, you cannot go beyond its deserts, for is it not it that impels our young men at the present time to endure the hardships and face the dangers of this terrible war, doing all this for the freedom of mankind and the glory of their country?

I have to differ with those who would treat this as a religious question. I do not see it as such, it is purely bi-lingual or national to both.

I have treated it as a matter concerning the family, the family being the very foundation of society—a father's and a mother's affair.

The child should be taught so that on his return home from school he may be able to explain to his parents in their own language the progress he has made.

There may be difficulties in the way; I am free to admit that, there are serious difficulties, but who will deny that unrest exists—unrest that should be removed. Under these circumstances are we to be stopped by difficulties when it is incumbent on us to reach the goal?

Since this resolution was placed on the Order Paper of this hon. House, I have seen a good deal concerning it in the press. Men of great respectability, high standing and learned, have written on it, some on one side and some on the other. I have every respect for the opinions of both, so long as I believe those opinions are honestly held, but there is another class of writers for whom I cannot say as much, that is the anonymous quill driver. I have received some such letters. I saw one in a local paper in my own town, signed "Anglo Saxon," charging inconsistency in my attitude on this question, and on the Manitoba School Bill of 1896. I plead not guilty to the charge. On the Manitoba School Bill, I asked for investigation, conciliation, and generous treatment for the minority, and that is my appeal to-day on this resolution.

"Justice" and "Truth" are other gentlemen who have done me the honour of letting me know what they think of my action on this question. Let me just say that Anglo-Saxon, justice and truth are all names for which I have the greatest of respect; but for those who make of them a harbour of refuge behind which to conceal their identity, when making attacks, for such people I have very little respect. Let me say to such, pull off the mask of concealment, then we will know what weight to give to your opinions.

I am aware that in certain districts friction exists between the teaching of French and English in the schools; this is to be regretted, and let me say here again that this is another strong reason why we should make an honest effort to solve the problem.

It has been stated in some quarters that bi-lingual or French teaching will be detrimental to teaching of English in our public and separate schools.

This should not, and must not be permitted. I say this in behalf of the English-speaking people of the province of Ontario.

Let me now say that if the French-Canadian minority of that province have rights in regard to their language, these rights should be respected. I think that under the British North America Act they have rights, but I am not discussing this from a legal standpoint. I know they have a much stronger right, the right of conscience. This is a right that no man should be asked, much less compelled to do violence to.

It was the force of the plea for freedom of conscience that prevailed when the Roman Catholic minority of Upper Canada were granted separate schools.

I remember the fears that were expressed and the cries that were raised during that struggle. One argument used was, that if you separated the children in their school

days, you placed a chasm between them that could never be bridged over. Has not the unity of our people, at all times, proven the fallacy of this assertion? It was said, too, that a system of separate schools would destroy the little red school, and with its destruction the whole public school system was in danger. Has not the experience of over fifty years proven how utterly groundless was this fear? The word went forth that the petitioners for and supporters of separate schools were the enemies of the public school. Speaking as one of the petitioners for and a supporter of the separate schools, I deny that statement. We are not the enemies of the public school. We recognize with pleasure the noble work it is doing in the direction of dispelling mental darkness; we say, "withered be the hand and pained be the tongue that would say aught against it;" we want to be your allies, we want to emulate and even excel you if we can, in all that you are doing for the spread of secular knowledge and, after having done that we want to go one step further. We want freedom of conscience to give our children religious instruction. Now, after fifty odd years of experience, can any one be found bold enough to say that the separate school system has ever been a menace to the public school, or that the public school has ever been a menace to the separate school? The answer must be in the negative. Under separate management, each having its own board, both have flourished. Friendly rivalry there has been, but this only served as a stimulus for greater efforts on the part of both.

Would it not be within the bounds of possibility, without injury to existing systems, to add another; call it bi-lingual or French if you will, but let it be an additional stimulus for greater efforts on the part of all. I care not what the solution may be, so long as it does not impair existing systems, and that it solves the problem of freedom of conscience for the Ontario minority.

Freedom of conscience for the religious minority of Upper Canada (now Ontario), was obtained only by the support it received from the French-Canadian members of Lower Canada (now Quebec). By their votes on that occasion, I was given the right which I availed myself of, viz., the right to educate my children as my conscience directed. For this right I have always felt grateful.

I will show my appreciation by supporting this resolution.

Hon. Mr. EDWARDS moved that the debate be adjourned until Tuesday next.

The motion was agreed to.

PROHIBITION OF NET FISHING IN LAKE OF TWO MOUNTAINS.

MOTION.

The Order of the Day being called:

By Hon. Mr. BOYER:

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness submit to the Senate, copies of all correspondence, telegrams and documents exchanged between the Department of Marine and Fisheries and the Minister of the Naval Service and the Department of Colonization, Mines and Fisheries of the province of Quebec, relating to the rescinding of the prohibition of net fishing in the waters of the Lake of Two Mountains, St. Francis and St. Louis, as per Order in Council (197) passed in Ottawa, Thursday, 28th day of January, 1915.

Hon. Mr. LOUGHEED—Does the hon. gentleman submit this as a question or does he propose making observations on it?

Hon. Mr. BOYER—I would like to get the papers first.

Hon. Mr. LOUGHEED—I should be glad to read to my hon. friend what the department states upon the subject.

The SPEAKER—I suppose the proper way would be to have the motion adopted. The hon. member asks for an address, and if adopted this address will be presented.

Hon. Mr. BOYER—Then I move that the motion be adopted.

Hon. Mr. LOUGHEED—If my hon. friend should desire to avail himself of the information which I have, and which I presume covers the points on which he wants information, I should be very glad to lay it on the table. It reads as follows:

Re Correspondence relating to cancellation of prohibition of Net Fishing in Lake of Two Mountains.

On the 12th January last, the Minister of Colonization, Mines and Fisheries at Quebec, wrote urging that the regulation which, as it then existed, prevented net fishing in Lake of Two Mountains as well as in other waters, should be amended so as to allow net fishing in that lake. He intimated that representations had been made to him that the fishermen in the locality were in a precarious position, and if they were allowed to carry on a limited amount of net fishing until the spring it would help them a great deal.

As the provincial government is administering the fisheries in the non-tidal waters of the province, and as it could prevent over-fishing by restricting the number of licenses, there seemed no objection to having the regulation

amended so as to allow such net fishing. Hence, this was done by Order in Council of the 28th January ultimo.

The motion was agreed to.

CANADIAN PATRIOTIC FUND ACT, 1914, AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on: Bill (39) "An Act to amend the Canadian Patriotic Fund Act, 1914."—(Hon. Mr. Loughheed.)

On clause 1:

Hon. Mr. BOSTOCK—The hon. leader said yesterday in discussing this clause that Newfoundland people were engaged in the Naval service. Can he tell us on what particular boats?

Hon. Mr. LOUGHEED—No, I am sorry I cannot tell my hon. friend. I think they entered into the service of Canada just as if they were Canadians, but I understand they are engaged chiefly in the Naval service. By the time we reach the third reading, if my hon. friend desires further information, I shall make inquiry.

Hon. Mr. BOSTOCK—Under the present agreement does the Naval service include the Fisheries service?

Hon. Mr. LOUGHEED—No, that is a separate service.

Hon. Mr. BOSTOCK—I thought they had been amalgamated.

Hon. Mr. LOUGHEED—No.

Hon. Mr. DANDURAND—It is obvious that those sailors are not in the Fisheries service.

Hon. Mr. LOUGHEED—Oh no, they are in active service.

The clause was adopted.

Hon. Mr. Bolduc from the Committee reported the Bill without amendment.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on: Bill (57) "An Act to amend the Senate and House of Commons Act."—(Hon. Mr. Loughheed.)

On clause 1:

1. The Senate and House of Commons Act, Revised Statutes of Canada, 1906, chapter 10, is amended by inserting immediately after section 11 the following section:

Hon. Mr. LOUGHEED.

"11a. Nothing shall render ineligible, as aforesaid, any person serving in the naval or military forces of Canada, or in any other of the naval or military forces of the Crown, while such forces are on active service in consequence of any war, and receiving salary, pay or allowance as a member of such forces while on such active service."

Hon. Mr. BOYER—In regard to this clause, paragraph 11a, the question was debated in the House of Commons and it was stated that there were some Canadian members of Parliament who were actually serving in the forces of the Allies; Dr. Beland's case was mentioned. The question was put whether this amendment to the Senate and House of Commons Act would cover Dr. Beland's case, and if I am rightly informed the Minister of Justice said no, but that the Bill would be amended so that it would cover any Canadian serving with the Allies. Here we only mention "naval or military forces of Canada, or in any other of the naval or military forces of the Crown." Surely serving one's country in Belgium is serving the interest of the Allies, and this Bill should be made to cover the case of any Canadian on the Continent.

Hon. Mr. LOUGHEED—I would say to my hon. friend in answer to that, while the point he has raised is new it would be unnecessary to make such a provision, because as my hon. friend very well knows that to accept any remuneration from the Crown would operate as a disability on a member of Parliament, yet a member of the Canadian Parliament could receive emolument from any foreign government. This applies, and could only apply, within the scope of our own Act; consequently it is not necessary to make provision of that character.

Hon. Mr. BOSTOCK—When this Bill was up for second reading yesterday I raised the question with my hon. friend as to whether this had any bearing in relation to the members of the Senate. Of course, we know at present that none of the members of the Senate have gone to the front, but I know no reason why some of them should not possibly do so, if they wished.

Hon. Mr. LOUGHEED—Will my hon. friend give us the names?

Hon. Mr. BOSTOCK—We have the hon. and gallant member from Toronto who I understand is a colonel, and he might wish to take part at the head of his regiment.

Hon. Mr. DENNIS—Colonel Taylor.

Hon. Mr. BOSTOCK—The Speaker is also, I understand, a military man. I do not think that this clause would cover a case of that kind.

Hon. Mr. LOUGHEED—It seems to me to be unnecessary to anticipate what will not probably or possibly arise. I fancy there is very little probability of any hon. gentleman in this House requiring to invoke such a clause as that which we are now considering. However, as my hon. friend will observe, section 11 only deals with the members of the House of Commons, and if circumstances should create such a condition as that pointed out by my hon. friend I can assure him we should be only too glad to bring down the necessary legislation.

Hon. Sir MACKENZIE BOWELL—I might suggest to my hon. friend who raised the question as to Dr. Beland that if the law which is proposed does not cover his case it is very easy to meet the case by placing an item in the Estimates, as has been done often before, to cover members who are absent from sickness or other causes. I am quite sure the leader of the Senate will call the attention of his colleagues to that fact. If there is the slightest doubt in the mind of the Minister of Justice on that point such sum will be put in the Estimates.

The clause was adopted.

On clause 3:

3. The said Act is amended by inserting the following section immediately after section 36 thereof:

"36a. In the calculation of any deduction from any member's sessional allowance on account of absence, days which were spent by such member in the naval or military forces of Canada or in any other of the naval or military forces of the Crown while such forces are on active service in consequence of any war, shall not be computed."

Hon. Mr. KERR—I would call the attention of the hon. leader of the House to the fact that clause 36a could not possibly apply to any one in the Belgium service; it applies expressly to the forces of the Crown.

Hon. Mr. LOUGHEED—No; the point is that if the indemnity of Dr. Beland should be paid him it can be placed in the Estimates, and if a representation of that character is made to the Government I have no doubt that very favourable consideration would be given to it.

Hon. Mr. KERR—Why should not the Act be made complete? Because the adoption of this Act might be looked upon as excluding such a case.

Hon. Mr. LOUGHEED—Because we have no official information as to the services which Dr. Beland is rendering. This Government could not have any official information as to the capacity in which he is acting, but we have official information as to our own men who are acting in the service of the Crown, and my hon. friend will readily see the difficulties which could arise if we made a general provision of that character.

Hon. Mr. KERR—I see.

The clause was adopted.

Hon. Mr. DANIEL from the committee, reported the Bill without amendment.

BILLS INTRODUCED.

Bill (H), An Act respecting the Grain Growers' Grain Company, Limited.—Hon. Mr. Pope.

Bill No. 17, An Act respecting the Canadian Pacific Railway Company.—Hon. Mr. Young.

Bill No. 29, An Act respecting the Van Buren Bridge Company.—Hon. Mr. Derbyshire.

THIRD READING.

Bill (B), An Act respecting the Pollution of Navigable Waters.—Hon. Mr. Belcourt.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Thursday, March 11, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

OTTAWA AND NEW YORK RAILWAY COMPANY. BILL.

AMENDMENT CONCURRED IN.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, reported Bill No. 24, An Act respecting the Ottawa and New York Railway Company, with an amendment.

He said: The object of the Bill is to authorize this railway to lease its line to the New York Central. The Bill as passed by the House of Commons provided for a term of ten years. The committee passed an

amendment substituting a term of 21 years for the term of 10 years fixed by the Commons. The committee was informed that the Minister of Railways had given his consent to this amendment. I move that the amendment be concurred in.

The motion was agreed to.

SEED GRAIN PURCHASED BY THE GOVERNMENT IN 1914.

MOTION.

The notice of inquiry being called:

Hon. Mr. DAVIS inquired:

1. How much wheat, oats and barley has the Dominion Government purchased in 1914 for seed to be distributed in the West, giving the amount of each kind.
2. Where is said grain stored, and what rate of storage is the Government paying on same?
3. How much did the Government pay per bushel for oats, barley and wheat purchased for said provinces, and when was said grain purchased?
4. Have they given a contract for cleaning said grain, and to whom, and at what price?

Hon. Mr. LOUGHEED—The information asked for by this inquiry will be very voluminous; it is necessary to communicate with Winnipeg to obtain the information required. I suggest that the notice remain on the Order Paper as it is but in the shape of a motion for a return, and I shall have the papers prepared at once.

Hon. Mr. DAVIS—I am quite willing to meet the view of the leader of the House, and my motion will be that an order of the House be issued for the information asked for in my inquiry.

The motion was agreed to.

DOMINION REVENUES, ETC., 1909-1914.

MOTION.

Hon. Mr. GIRROIR moved:

That an order of the Senate do issue for a return of:

1. A statement of the Revenue of the Dominion of Canada for the years of 1909, 1910 and 1911, respectively.
2. A statement of the amounts voted and spent by the Dominion Government for agriculture during the years 1909, 1910 and 1911, respectively.
3. A statement of the Revenue of the Dominion of Canada for the years 1912, 1913 and 1914, respectively.
4. A statement of the amount voted and spent by the Dominion Government for agriculture during the years 1912, 1913 and 1914, respectively.
5. A statement of the amount granted and paid to each of the provinces of the Dominion by the Federal Government for the purposes of agriculture during the years 1909, 1910 and 1911, respectively.
6. A statement of the amount granted and paid to each of the provinces of the Dominion by the Federal Government for the purposes of agriculture during the years 1912, 1913 and 1914, respectively.
7. A full and detailed statement of all amounts spent for the purposes of agriculture by the Federal Government in the province of Nova Scotia during each of the years 1909, 1910, 1911, 1912, 1913 and 1914.
8. A full and detailed statement of all amounts from Federal grants to the province of Nova Scotia spent by the provincial Government of said province under the direction of or agreement with the Federal Government or Department of Agriculture during each of the years 1909, 1910, 1911, 1912, 1913 and 1914, respectively.
9. Copies of all agreements entered into between the Federal Government or Department of Agriculture and the government of Nova Scotia with respect to the expenditure of Federal grants to agriculture in said province during the years 1912, 1913 and 1914, respectively.
10. Copies of all reports from the government of Nova Scotia to the Federal Government or Department of Agriculture with respect to agriculture and the expenditure of Dominion Government grants to said province for agriculture in the said province of Nova Scotia for the years 1912, 1913 and 1914, respectively.

The motion was agreed to.

NET FISHING IN LAKE OF TWO MOUNTAINS.

Hon. Mr. BOYER—I desire to call the attention of the leader of the Government to an answer given yesterday to a question put by me. I moved:

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness submit to the Senate, copies of all correspondence, telegrams and documents exchanged between the Department of Marine and Fisheries and the Minister of the Naval Service and the Department of Colonization Mines and Fisheries of the province of Quebec, relating to the rescinding of the prohibition of net fishing in the waters of the Lake of Two Nountains, St. Francis and St. Louis, as per Order in Council (197) passed in Ottawa, Thursday, 28th day of January, 1915.

The answer I received was that, on the 12th January last, the Minister of Colonization, Mines and Fisheries of Quebec, wrote urging that the regulation, which as it then existed, prevented net fishing in Lake of Two Mountains, as well as in other waters. should be amended so as to allow net fishing in that lake, etc. Cannot I get a copy of that letter, or is the department too busy? I want to see it myself.

Hon. Mr. LOUGHEED—Very well, it will be brought down.

CANADIAN PATRIOTIC FUND ACT 1914 AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 39, An Act to amend the Canadian Patriotic Fund Act 1914.

He said: I promised to secure for my hon. friend information as to the manner in which residents of Newfoundland are employed in the active service of Canada. I understand that there is a Naval Reserve in Newfoundland. The members of that reserve are employed on the Niobe, in the active service of Canada, that is to the number mentioned.

The motion was adopted, and the Bill was read the third time.

INCORPORATING COMPANIES ACT AMENDMENT BILL.

BILL WITHDRAWN.

The Order of the Day being called:

Second reading of Bill (A), "An Act to amend an Act incorporating companies."—(Hon. Mr. Domville.)

Hon. Mr. CLORAN—I want to withdraw the Bill. I am in charge of the Bill on behalf of its author, the hon. senator from Rothesay (Hon. Mr. Domville). I wish to inform the House that he is unable to be here and take charge of the Bill. Last week I asked for the postponement of the second reading until to-day, so that I might get in touch with the author of the Bill. He writes me that he will be unable to be present, probably for the balance of the session, and has asked me to request the House to have the Bill dropped, especially in view of the fact that matters in relation to the Bill are under consideration by the Government. I therefore simply put before the House the request of the hon. senator who is unable to be present, and ask to have the Bill withdrawn.

The motion was agreed to, and the order was discharged.

INDEPENDENT ORDER OF FORESTERS CONSOLIDATED ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. CORBY moved the second reading of Bill No. 12, An Act to amend the Independent Order of Foresters Consolidated Act.

Hon. Mr. DANIEL—I might say the hon. gentleman has not explained this Bill, and he is asking us to give it a second reading. I do not know what principle is involved. He ought to explain the nature of the Bill before he asks us to pass it.

Hon. Mr. CORBY—If hon. gentlemen would attend the meetings of committees they would understand the Bill. I know nothing about the Bill except that I introduced it into the House.

Hon. Mr. DANIEL—The hon. gentleman asks the Senate to pass on the principle of a Bill, and nobody knows what the principle is. We had better pass over this, until the hon. gentleman who has charge of the Bill is able to instruct the Senate as to what the Bill means.

Hon. Mr. CASGRAIN—I am surprised that an old parliamentarian like the hon. gentleman who has just taken his seat has not taken the usual course. These Bills are printed in English and French, and the hon. gentleman might have read that Bill in one of those languages before this. This is a private Bill, and should go to the Private Bills Committee on Banking and Commerce, to which private Bills are generally referred.

Hon. Mr. CORBY—I understand the Bill is in reference to the funds of the society (reading the Bill) that is the whole Bill as far as I know.

The motion was agreed to, and the Bill was read a second time.

TITLE AND TRUST COMPANY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. Edwards moved the second reading of Bill No. 16, An Act respecting the Title and Trust Company, and to change its name to "Chartered Trust and Executor Company."

Several hon. GENTLEMEN—Explain.

Hon. Mr. EDWARDS—I do not think there is any great explanation to make. It is simply a Bill desiring a change in the name.

The motion was agreed to, and the Bill was read the second time.

SECOND READINGS.

Bill No. 27, An Act respecting the St. Lawrence and Adirondack Railway Company.—Hon. Mr. Davis.

Bill No. 28, An Act respecting the Toronto Eastern Railway Company.—Hon. Mr. McHugh.

Bill No. 31, An Act respecting the British Columbia Southern Railway Company.—Hon. Mr. Bostock.

Bill No. 32, An Act to incorporate the Brulé, Grande Prairie and Peace River Railway Company.—Hon. Mr. Pope.

Bill No. 34, An Act respecting the Manitoba and North Western Railway Company of Canada.—Hon. Mr. Watson.

Bill No. 36, An Act to incorporate Northern Pacific and British Columbia Railway Company.—Hon. Mr. Bostock.

Bill No. 37, An Act respecting the Pacific, Peace River and Athabasca Railway Company.—Hon. Mr. Pope.

Bill No. 38, An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.—Hon. Mr. Bostock.

Bill No. 41, An Act respecting the Athabaska Northern Railway Company.—Hon. Mr. DeVeber.

Bill No. 42, An Act respecting the Canada Preferred Insurance Company.—Hon. Mr. Bostock.

Bill No. 45, An Act respecting the Vancouver Life Insurance Company.—Hon. Mr. Bostock.

Bill No. 46, An Act respecting the Western Dominion Railway Company.—Hon. Mr. Talbot.

Bill (D), An Act for the relief of Helene Suzette Baxter Douglas.—Hon. Mr. Mitchell.

Bill (C), An Act for the relief of William Ewart New.—Hon. Mr. Talbot.

THIRD READING.

Bill No. 57, An Act to amend the Senate and House of Commons.—Hon. Mr. Lougheed.

DISCONTINUANCE OF TRANSCONTINENTAL TRAINS.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Honourable Mr. David:

That an humble address be presented to His Royal Highness the Governor in Council; praying that His Royal Highness shall submitt to this House copies of all petitions to the Government, or any member of the same, and of all correspondence and documents in connection with the discontinuation of the trains of the Transcontinental between Abitibi and Hervey Junction.—Hon. Mr. Casgrain.

Hon. Mr. CASGRAIN—I desire to crave the attention of the House most particularly on this very important question, and I desire hon. members of this Chamber to realize that the Transcontinental railway from Winnipeg to Moncton is your property, the property of Canada to-day, in the hands and under the immediate control of the Government of the day, just the same as the Intercolonial railway or the Prince Edward Island railway. Therefore I believe it should be a live question with every member of this hon. House as to what is to be done in the immediate future about this railway. The other day, when the matter was being discussed, there was some little difference amongst the members of this House about the mileage of the road between Quebec and Cochrane. I took the trouble to ascertain the correct mileage. I find that the distance between the city of Quebec and Cochrane is 567 miles. There is, in that distance, a part of the road being operated to-day—from Cochrane eastward as far as the town of Amos. While we are on the question of the distance between Cochrane and the town of Amos, I may say that the distance between the town of Amos, which is on the Hurricane river—and a prosperous place it is—and Quebec is 427 miles. What the hon. gentleman from Mille Iles (Hon. Mr. David) wanted to place before this House particularly, was the hardship on the people living in Amos, and as far as Bell river, and in that magnificent country on either side of the Transcontinental, in the province of Quebec. The population of Amos has come from around the city of Quebec. Their associations and dealings are all with that part of the province—not with Montreal but with Quebec, and mostly the county of Champlain, now represented in the House of Commons by the Hon. P. E. Blondin, the Minister of Inland Revenue. A man in Amos wishing to go either to his home in the county of Champlain or to Quebec on business, if the road were in operation would have to travel a distance of 427 miles. Now what is the fact? The only service is the train that runs westward from Amos to Cochrane and the service is not a frequent one. This man has to start from Amos and go to Cochrane, 140 miles; then he has to take the Timiskaming and Northern Ontario and go to North Bay. At North Bay he has the choice of either going down to Scotia Junction, and taking the Grand Trunk railway to Quebec, or of taking the Canadian Pacific railway at North Bay. Taking the shortest possible route—140

miles, Amos to Cochrane, 252 miles Cochrane to North Bay, then 360 miles from North Bay to Montreal, then 172 miles from Montreal to Quebec by Canadian Pacific railway—and consequently that man would have to travel some 922 miles instead of going 427 miles. If that is not a hardship on those settlers, I would like to know how anything could be much worse than to have to go that round-about way. If you reduce this to money, going by the short route from Amos to Quebec, at three cents a mile, would come in round figures to about $13; but if you go the round-about way 922 miles at three cents, you would have to pay nearly twenty-eight dollars.

Then, again, if a man buys a return ticket at 5 cents a mile one way, going by the short distance would cost him about $21, while going the round-about way—the way he has to go at present—it would cost him $46. Hon. gentlemen who have been connected with colonization know that these settlers have to go to the department in Quebec to settle about their patents, and so on. I claim it is a great hardship that that part of the road between Amos and Quebec has not been opened up and kept in operation. The line is actually finished for that part of the road; it is fit to be operated, and I do not suppose a better road exists in Canada to-day, or perhaps elsewhere, than that very road. Of course, we are having a truce just now, and one cannot find fault, but the question has nothing to do with the war. I do not think the present Government has ever been sympathetic with the road, or have ever encouraged it. On the other hand, all the interests of Mr. Cochrane, the Minister of Railways, are in Ontario—in Cochrane, named after him; in Cobalt, and particularly in North Bay. Therefore, by making Amos tributary to Cochrane, North Bay and Cobalt, it brings that part of the business to that portion of Ontario, depriving Quebec of any benefit that might be derived by that traffic. While on this question, and to dispose of this question of distance at once—for it has been discussed several times in this House—by this Transcontinental railway, the total distance between Champlain market, in Quebec, and Water street, in Winnipeg, is only 1,350 miles. I would like hon. gentlemen to mark those figures and compare them with the distances on the road by which you have to travel now. If you are leaving Winnipeg now by the Canadian Pacific railway—the only road that has a through service to Montreal—you have to go 1,412 miles to Montreal alone. Besides that, you have to go 172 miles from Montreal to Quebec, making a grand total of 1,584 miles as against 1,350.

Hon. Mr. DANIEL—Is the road completed between Quebec and Winnipeg?

Hon. Mr. CASGRAIN—Yes, it has been completed for some time.

Hon. Mr. DANIEL—The hon. gentleman stated that this is a Government railway, and is to be operated by the Government. I was under the impression that when it was built it was to be taken over and operated by the Grand Trunk Pacific. Can the hon. gentleman say why that has not been done?

Hon. Mr. CASGRAIN—I was coming to that a little later, but I would just as soon deal with it now. This road, as I said, belongs to the Government. It has been leased for 50 years to the Grand Trunk Pacific, and that lease has been guaranteed and endorsed by the old Grand Trunk Railway Company of Canada, with its $187,000,000 of assets. But the Grand Trunk Pacific have already taken over a part of this road—the part from Winnipeg to Superior Junction. That part is 258 miles long, and was taken over more than 3 years ago; and I suppose the company would for that time be paying its proportion of interest on that part of the road.

Hon. Sir MACKENZIE BOWELL—That is not part of the Grand Trunk Pacific proper. From Winnipeg to Superior Junction, at the head of Superior—that is the direct road from Winnipeg to the head of lake Superior.

Hon. Mr. WATSON—No, to Superior Junction.

Hon. Mr. CASGRAIN—I shall answer that in a minute. The company has taken over some three years ago, that portion of the Transcontinental that never belonged to the Grand Trunk Pacific, from Winnipeg to Superior Junction, a distance of 258 miles. The part from Winnipeg to Superior Junction was part and parcel of the Transcontinental, and belonged to the people of Canada. The other part, from Superior Junction to Port Arthur, has been constructed by the Grand Trunk Pacific themselves, and they are operating that. Of the through line, the eastern half, east of Winnipeg belongs to the country and on this part the company ought to pay three per cent

as a rental after the first seven years; the other part, west of Winnipeg, belongs to the Grand Trunk Pacific absolutely. The line from Superior Junction to Port Arthur was largely subsidized by the friends of the hon. gentleman from Hastings (Sir Mackenzie Bowell). They gave, if I remember correctly, some $2,000 in money per mile, and 6,000 acres of land per mile, but if the land were to be taken along the route between Port Arthur and Superior Junction the land would not be worth very much.

Hon. Mr. ROSS (Middleton)—Has the Grand Trunk Pacific taken over the road from Superior Junction to Edmonton?

Hon. Mr. CASGRAIN—The hon. gentleman from Middleton (Hon. Mr. Ross) was not in the House when this matter was discussed. The Transcontinental ends at Winnipeg, therefore the Grand Trunk Pacific could not take over the road west of Winnipeg because it ends at that city. The line from Winnipeg to Prince Rupert has been built by the Grand Trunk Pacific themselves, and I may say, for the hon. gentleman's special information, that all through the Prairie section, a distance of 922 miles, the road has been built—and I challenge contradiction on that—without costing the taxpayers of this country one dollar in subsidy in money or one acre of land, barring the right of way.

Hon. Mr. LOUGHEED—Which road is that?

Hon. Mr. CASGRAIN—That is the Grand Trunk Pacific between Winnipeg and the Rocky mountains. It has not cost Canada one single dollar either in money or land.

Hon. Mr. LOUGHEED—The hon. gentleman has not been keeping track of the matter.

Hon. Mr. CASGRAIN—Yes.

Hon. Sir MACKENZIE BOWELL—Did Canada not guarantee the bonds? Of course, when a man endorses he does not necessarily have to pay the note.

Hon. Mr. LOUGHEED—According to the implementing clause we paid approximately ten millions in cash.

Hon. Mr. CASGRAIN—That implementing clause was caused by the judgment of the Supreme Court of Canada sustained by the decision of the Privy Council in England afterwards.

Hon. Mr. LOUGHEED—Canada had to pay it.

Hon. Mr. CASGRAIN—No, I beg pardon. Not a dollar.

Hon. Mr. LOUGHEED—We have paid it.

Hon. Mr. CASGRAIN—As Canada was responsible, the Finance Minister thought it would be better for the Government themselves to speculate on those bonds, than to have them put out to the public.

Hon. Mr. LOUGHEED—My hon. friend is entirely mistaken. The judgment of the Privy Council held that the Dominion of Canada was liable for the difference between the market price of the bonds and par. Consequently, it was immaterial to Canada whether she took over the bonds or paid the amount. It cost the people of Canada ten million dollars.

Hon. Mr. CASGRAIN—Was it not a fact that the implementing clause was that over and above the $13,000 originally guaranteed, seeing the proceeds of the bonds netted somewhere about $11,500, there was a deficit of about $1,500 for which additional bonds would have to be issued; is that not right?

Hon. Mr. LOUGHEED—No, that is not right.

Mon. Mr. CASGRAIN—That was my information.

Hon. Mr. LOUGHEED—No.

Hon. Mr. CASGRAIN—If the additional bonds were to be issued, and if those bonds were issued in the recent state of the market, they would not have brought very much, and still the Government would have been responsible.

Hon. Mr. LOUGHEED—No; that was the contention of the Government of Canada, but the Privy Council held that Canada was not entitled to advance that contention; that Canada had to make good the difference between the proceeds of the bond and par.

Hon. Mr. CASGRAIN—If I have been erring, I have been erring in good company —in the company of the Minister of Justice of this Government.

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. CASGRAIN—You say that was the contention of Canada—the contention of Canada on a legal question must be the contention of the Minister of Justice.

Hon. Mr. LOUGHEED—But, since the judgment, the Minister of Justice does not defend that.

Hon. Mr. CASGRAIN—I thought the Government brought very good reasons to show that I was right. Of course, the members of the Privy Council did not agree with the Minister of Justice. However, this was in answer more particularly to the hon. member from North Bay (Hon. Mr. Gordon). I was about to say that the distance by the Canadian Pacific railway to-day between Winnipeg and Quebec is 1,584 miles, while the distance by the Transcontinental —the road owned by the people of this country—is only 1,350 miles.

Hon. Mr. CLORAN—Yes, and it is closed.

Hon. Mr. CASGRAIN—Therefore, making a difference in mileage of 234 miles. Now, I ask any hon. member of this House, if there was a decent train service from Winnipeg to Quebec, the terminus of the palatial Canadian Pacific railway steamers, and the larger steamers of the Allan line in Quebec, would any one leaving Winnipeg on his way to the old country or to Europe ever think of travelling around by the Canadian Pacific railway over a crooked road, over steep grades and sharp curves, and paying $6 additional fare. Would they not instead go by the beautiful highway, the equal of which is not in this country? Would any sane man go that round-about way? No man would if there was a decent train service from Winnipeg—nay, not only from Winnipeg but west of Winnipeg—Brandon, Moosejaw, Calgary, Edmonton, Vancouver and Victoria. This applies to Canada alone; but then the people coming from the Orient—from Japan and China—and all that travel would take the shorter route as between Winnipeg and Quebec. When the hon. member from North Bay (Hon. Mr. Gordon) says that this year many hundreds and thousands of dollars worth of rolling stock in the Canadian Pacific railway were idle at their divisional points, I grant that; but I believe that if this road were opened there would be a good deal more of the Canadian Pacific railway stock that would be idle. Nobody knows better than the hon. member from North Bay what a magnificent country there is, both east and west of Cochrane. West of Cochrane we have an extent of between 500 and 600 miles—500 anyway—of what we call the Ontario clay belt. The land in that part of Ontario will compare favourably, as to fertility, with the very best land on the banks of the Red river or the Assiniboine, or in Saskatchewan on the banks of the Qu'Appelle river. The land is the same kind of land, while the clearing is most easy; as a lumberman, I know that the hon. member from North Bay will bear me out in that—the clearing there is much more easy than it is farther south in the province of Quebec;

Hon. Mr. DAVID.—West of Cochrane.

Hon. Mr. CASGRAIN.—West of Cochrane. Now I come east of Cochrane. One has to travel about 70 miles coming east of Cochrane before one reaches the line dividing Ontario and Quebec. That line runs on the north side of Lake Abitibi, the Quebec portion of the lake being smaller than that of Ontario. Lake Abitibi is a beautiful, a magnificent sheet of water, much larger than lake St. John, and the shores of lake Abitibi are absolutely level, and composed of the most fertile soil. The lake itself is simply a depression in the prairie. I am informed that the depth of the lake is very small indeed; that one can go out for miles and miles on lake Abitibi before reaching a depth of 12 or 14 feet. The shores are thickly wooded, and the lumber, as in all northern latitudes, is not very large, but there is good serviceable lumber along the lake, and also along the streams that fall into the lake, and along the Abitibi river, which is the outlet of lake Abitibi. I allude to this because the hon. member took exception to the statement that pulpwood could be taken from Amos or Bell river down towards Quebec. Of course, the hon. gentleman himself knows that at Iroquois Falls there is a large mill where pulpwood is being manufactured. I do not know but that he wants all the pulp to go to his mill; but the hon. member will agree with me that pulpwood could very well be taken by train for the short haul from Amos and Bell river, and eastward until you reach the head waters of the St. Maurice river. Pulpwood, cordwood and logs could very well be taken from Amos eastward for the short haul along the Transcontinental railway and then the logs could be dropped into the head waters of the St. Maurice river and those logs would come down in the usual drive. Every one knows that there is no cheaper way of bringing lumber to a mill than having it float down a stream and have a gang of men in the spring carry on the drive.

Hon. Mr. GORDON—The reason which my hon. friend has given is the very reason why you could not bring the logs from Amos to the St. Maurice river. The reason that he gave was that the logs could be floated down the stream cheaper than any other way. Now he asks us to believe that logs could be transported on the railway, brought over to the river and then brought down some place as cheap as logs that were on the St. Maurice stream.

Hon. Mr. CASGRAIN—As a lumberman my hon. friend knows that to be true—that it is commonly done,—that where there is no navigable or floatable stream tributary to the mills, logs are hauled by trains to a river and then floated down the balance of the way. Mr. J. A. Dubuc had limits which were not on the streams tributary to his mill, so he hauled the logs by trains, put them in the stream, and took them to his mill.

Hon. Mr. BOLDUC— How far ?

Hon. Mr. CASGRAIN—I do not know that it was very far. He put them on the cars, and so on. That is why I was speaking of those logs being taken for a short haul, because as the water at Amos and Bell river flows northward towards James bay, you would have to come pretty far east—to the head waters of the St. Maurice—before you would find any water flowing into the St. Lawrence. Now, as I think I have shown, any one living in Winnipeg would take the shorter route—I do not think there could be very much doubt about that—and come over the Transcontinental. There may be another reason why the Government cannot to-day ask the Grand Trunk Pacific railway to——

Hon. Mr. GORDON—Permit me a question. During winter do the bulk of the passengers from Winnipeg, west of Winnipeg, go to Quebec ?

Hon. Mr. CASGRAIN—That is an easy question to ask. The hon. gentleman wants to know if the steamers come from Quebec in winter time ? Is that it ?

Hon. Mr. GORDON—No, I asked you if the passengers from Winnipeg——

Hon. Mr. CASGRAIN—I said the passengers would come from Winnipeg to board the palatial steamers of the Canadian Pacific railway and the larger ones of the Allan line, and I am not aware that they come to Quebec in the winter time.

Hon. Mr. GORDON—That is not the point I want to get at. You were trying to prove that, if the Transcontinental road were being operated, by reason of it being a shorter distance from Quebec to Winnipeg by that line, passengers would naturally go that way. Now, I want to know—and I am asking for information—would the bulk of passengers from Winnipeg and west of Winnipeg go to Quebec during the winter ?

Hon. Mr. CASGRAIN—Certainly they would go to Quebec, cross on the ferry, and take the Intercolonial railway and go to St. John or Halifax. I do not know that they could go any other way.

Hon. Mr. CLORAN—That is right; protect your national ports.

Hon. Mr. GORDON—My own idea is that the bulk of the passengers go to Montreal.

Hon. Mr. CASGRAIN—Where do they go from there ?

Hon. Mr. GORDON—Would they not have to come down by the Canadian Pacific railway?

Hon. Mr. CASGRAIN—No, the passengers in summer would take the steamers which call at Quebec in the summer months. In winter months, when these steamers call at St. John or Halifax they would continue on their journey either by the Intercolonial railway or the Grand Trunk Pacific, passing over the Quebec bridge, when it is built—meanwhile the present Government has bought a ferry by which to cross. But the point I wish to make now is this: If the Government is not operating the road—they are not even asking the Grand Trunk Pacific to take over the road—it is because they know full well that they have not fulfilled their obligation to the city of Quebec, in regard to the terminus at Quebec. It is quite possible to run a train from Winnipeg to Quebec, but the terminus in Quebec, as called for by the contracts with the Grand Trunk Pacific Company, is not completed. The line is completed in an indifferent way from the Quebec bridge to Champlain market, a station is being put up at Champlain market, but I do not know if it is finished yet. The contract was given before the last general election, it was taken away from the contractor, then after he had pulled down the old building—the old Champlain market—new tenders were asked and a new kind of building was designed and I believe

the same contractor got the contract again, though I am not sure, and now they are building an indifferent sort of a station. Also, they engaged to build workshops for the railway where repairs could be made, and instead of putting the shops where the railroad comes in at Quebec, in the valley of the St. Lawrence where the railroad is, those shops were put in the valley of the St. Charles river, nowhere near the railway at all. I suppose some good friend had land there that he did not exactly know what to do with—the town-lot business having waned in Quebec as elsewhere—and the land was bought at a very good figure and the shops put there. What was to be done to connect the road and the shops? They have to go up the St. Lawrence 15 miles so as to get a grade to go down to the shops. The last Postmaster General, Hon. L. P. Pelletier, designed a scheme; he was going to find the heart of Quebec and was going to make a tunnel, and this tunnel was to join the valley of the St. Lawrence with the valley of the St. Charles River. Needless to say the tunnel was never started; therefore, I do not know what use those shops are to be, as they are erected to-day, because they are three or four or five miles away as the crow flies from the line. They will have to be connected by going fifteen miles up the St. Lawrence. In order to make connection they bought the line of another railway in order to have temporary access to those shops.

Hon. Mr. CLORAN—Lots of graft.

Hon. Mr. CASGRAIN—When first we discussed this question in this House many were more or less sceptical when I spoke of that clay belt—that wonderfully fertile plateau extending from lake Seul—extending west of Cochrane 400 miles and east of Cochrane about 200 miles. It was said there was nothing up there but muskeg, moss, rocks and so on. Although I had been there before, I had the advantage last June of going over that country in company with the premier of the province of Quebec, Sir Lomer Gouin, and the Hon. Honore Mercier, Minister of Colonization, Mines and Fisheries, and some of the officials of the department. We went to Cochrane—there was no other way of going, as the road was not in operation, and we had to go a roundabout way—and from Cochrane we travelled to Amos, passing the interprovincial line. There the Prime Minister expressed a desire of having some distinctive mark such as an arch, to show where Ontario ends and Quebec begins. At Amos we saw an enterprising town with a town hall, a good sized church, several houses, a sawmill, large stores, and a very prosperous population. That town is on the east bank of the Hurricana river, one of the most beautiful rivers I have ever had the opportunity of seeing. I would compare it, perhaps, to the Richelieu river above St. John, or the Richelieu immediately after it leaves lake Champlain. The shores are just about the same height, 13, 14 or perhaps 20 feet above the level of the river. We went up in the steamboat from the railway, up that river expanding in some places, and breaking out in beautiful, lovely lakes, and on each side settlers were clearing land with the greatest facility. The clearing is most easy in that part of the country, because the roots of the trees do not go deeply in the soil, but go just through the humus of the ground; when these roots come to the clay bottom they spread into what the French call "plaqué." When a fire has passed through, the roots are pretty well burned out, and clearing is most easy. I was told by settlers there that they could clear four acres of land as easily as they could clear one acre in the other parts of the province of Quebec.

Hon. Mr. WATSON—That indicates poor soil.

Hon. Mr. CASGRAIN—I hear the voice of Manitoba; they are jealous because they envy the many thousands and millions of acres of good land we have up there. Now that immense plateau, with a length of say 600 miles and an average width of 100 miles, is a tremendous area; it would make no less than 1,700 townships. It may be interesting to note that we have to-day in the Northwest, actually surveyed and laid out, in the three provinces of Manitoba, Saskatchewan and Alberta, 8,000 townships. As a township is six miles square, it may be stated that in no other country, not even Argentina or the Steppes of Russia, has such an extensive system of survey been carried on as in these territories I have just mentioned. If those 8,000 townships were placed one after the other, they would go twice around the earth at the Equator; that is, there are 24,000 miles to go around at the equator, and it would take 4,000 townships to go once around, and the other 4,000 townships would make the other belt around; or it would make a belt 12 miles wide going once around the earth. All that area has been surveyed and occupied, hence 1,700 townships is not so very extensive, but

only about 15 per cent of the total. I remember years and years ago hearing in the other House Sir Charles Tupper describing the possibilities of the Northwest, and when he said that so many acres would be cultivated, and that at so much per acre it would amount to so many bushels, people thought he was talking as a dreamer. However, his predictions have been almost realized now, and they will be in the near future. I really believe you will see this immense plateau in the near future occupied, and occupied largely by a population from the province of Quebec, as the French-Canadians of Quebec seem to be the only ones in this country who are willing to go and wrestle with the stump, clear the land, and develop it; you do not see very much of that in Ontario. If you look along the Canadian Pacific railway you will find that with the opening of that road the French-Canadian went into Ontario and in places like Sudbury, North Bay, the Algomas, Sault Ste. Marie, you will see these places largely populated by the French-Canadian who came along as the road was being built, cleared the land, and established themselves there. It has been a good thing for Ontario, for had it not been for the influx of those 250,000 French-Canadians Ontario would have made a very poor showing in the last census as far as nativity is concerned; Ontario would be away behind that pernicious place called France if it had not been for the help they got from the French-Canadian of northern Ontario.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. CASGRAIN—Now, that immense country will be peopled in the near future by a large contingent coming from the province of Quebec. Even to-day in the town of Cochrane the majority of the population is composed of French-Canadians. Men who have had good farms in eastern Quebec left those farms with some money, brought their sons, and managed to open the country, clear the land, and settle their sons on that land. The Government gives the land free, and does not exact one dollar for 100 acres of land—and that is the very best land. The land up there is good not only in Quebec but also in Ontario. From New Liskeard to Cochrane, a distance of some 150 miles, has been settled, as we know, and the wheat grown at New Liskeard took the first prize at the Exhibition at Glasgow, Scotland—beating the Manitoba wheat. I may tell the hon. gentleman from Portage la Prairie (Hon. Mr. Watson), that on the east side of Lake Timiskaming land is good, and across the Quinze River, in Quebec, all the land is perfectly good for settlement. The further north you go and the smaller the timber is, the easier is the clearing; and when you get to this magnificent railway the Transcontinental—when that railway is in operation—you will see a population there which will be very considerable indeed in the near future. I believe it is the duty of this Government as soon as they possibly can to organize a service clean through and open that road. Portions of the road are being operated—in eastern Quebec, from Quebec towards Moncton; from Cochrane to Winnipeg west; from Cochrane east to Amos, and the only part that is not operated is the 427 miles from Amos to Quebec. If that part was in operation there would be a through service. No one can expect a railroad running through a country of primeval forest to pay its way the first year, but a beginning must be made, there have to be sacrifices at first. It is unavoidable that sacrifices have to be made some time or other. At this very moment that road has been used to take up the aliens—Austrians and Germans—who are kept in the concentration camps near Amos and are being used to clear the land, and it is safe to say they cannot escape because they would have to pass the railway and go back towards Ontario; it is an excellent place for them to be. Now, if there had been any facilities those aliens would have cut a lot of timber this year, but there were no facilities for transportation whatever, and I do not know what the Government is occupying these people at just now. I am afraid their work is going to be lost. In conclusion I would invite every hon. member of this House, as soon as there are facilities, to go over that territory for themselves, and they will see that the sun does not shine on a nicer, better or more fertile piece of land than that along the Transcontinental and the clay belt of Ontario and Quebec.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOLDUC—When the hon. gentleman from Mille Iles gave notice of the motion now before us I thought that in proposing it he would give us more explanation than he has given. I thought he would be in a position to give us evidence that the operation of the road from Amos down to Quebec would have been a complete necessity since December last, for I understand that the operation of the road was stopped only since last December. At the same time, if the hon. gentleman had

taken information from correct quarters he would have discovered that within a very few days the Government will have the road opened and operated.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. BOLDUC—Moreover, I am afraid that the Government will have to operate the road for many years to come. The hon. gentleman in trying to prove that the Government had lacked in not operating that part of the road between Amos and Quebec since December last, gave as evidence that that would have been a good proposition, one of Mr. Authier's letters saying that if the road had been in operation they would have been able to ship some 30 or 40 thousand loads of pulpwood and a couple of millions of logs.

The hon. gentleman from Nipissing disposed of that question very readily. We know that the hon. gentleman is a man of vast experience in the lumber trade and understands it perfectly well. He is also familiar with the transportation of timber, and pulp wood, floating it on streams or transporting it by rail, and he told us that the transportation of 30,000 or 40,000 cords of pulp wood would mean practically nothing, and the freight to be earned on the transportation of 2,000,000 feet of logs would bring about $5,000. If all the business done by the company was the transporting of goods to the value of about ten or fifteen thousand dollars during the three or four months, it would not be very encouraging for the Government to operate the railway. As I said a moment ago, the Government is bound to open the road very soon and keep it in operation, though if the Grand Trunk Pacific were agreeable to the arrangements which were made in 1903, the company would have to take hold of the road and operate it. But gentlemen who were in this House in 1903 remember very well with what reluctance the Grand Trunk Pacific came to the conclusion that they would have to agree to take the lease of that road from Superior Junction down to Moncton. We heard in the House and on the street then that the Grand Trunk Pacific Company would not have worked and kept in operation that part of the road. Why? Because the Grand Trunk Pacific Company, which is practically the Grand Trunk Railway, has interests in diverting all its trade to Portland, in the State of Maine. That company has already spent about $25,000,000 in making and improving the port of Portland. They have no interest at all in the ports of St. John or Halifax.

They may use Montreal as a port in summer time, but they will never use the ports of St. John or Halifax in winter time. Why? Because their line of railway is shorter to Portland by 200 or 300 miles; because they have a fine port which they have made themselves, on which they have spent several million dollars; we will never see the Grand Trunk Pacific using the Transcontinental from Superior Junction down to Quebec or Moncton. As I said a little while ago, the hon. gentleman from Mille Iles (Hon. Mr. David) failed to give us evidence that the road ought to have been kept in operation from Amos down to Quebec since December last. I expected a gentleman of the experience of the hon. member from De Lanaudière (Hon. Mr. Casgrain) would give us some further explanation and some further evidence that the road needed to be operated during the last winter. However, to my great disappointment the hon. gentleman never mentioned a word about that.

Hon. Mr. CASGRAIN—Yes.

Hon. Mr. BOLDUC—He never said it was necessary to operate the road from Amos down to Quebec. He said there might be some difficulties—a few travellers who were going down to Quebec or Champlain county might have to go by North Bay and then come down to Montreal. He failed to tell us how many travellers he expected would want to travel that way since December last. He also told us that the land is so good on each side of Cochrane, that we would in the next few years see large towns built, and the country settled by farmers in good circumstances. If in five, ten, fifteen, or twenty years we see that, which everybody would be happy to see, that the land is so good that all the settlers will try to go there, then we are sure the road will be prosperous. Even though in 15 or 20 years many settlers will be there and will have to ship their goods by rail, how would that help in the operating of the road from December last?

Hon. Mr. CASGRAIN—If there is no road operating the road form December last?

Hon. Mr. BOLDUC—No, but I have just said if the hon. gentleman from Mille Isle (Hon. Mr. David) had obtained correct information, he would have been informed

that the road would soon be opened and operated. In 1903, when the law incorporating the Transcontinental was passed, several members of this House stated that the Grand Trunk Pacific Company would never operate the road because it was against their interests. I said so myself; I could not find it possible for the Grand Trunk Pacific to lease that line and operate it when they had a short line to Portland. It was against their interest. Before the law was passed in 1903, Hon. Mr. Fielding, Minister of Finance in the Government, gave figures of what the expected cost of the National Transcontinental railway would be, seeing the Grand Trunk Pacific had agreed to pay interest at the rate of 3 per cent on the whole cost of the line, and then operate it? What has been the result? What did the government of business men, the men of the late Administration do? They appointed a commission of four members, and they had to spend millions and millions in the building of that railway. Everybody would be inclined to believe that the first duty of the Government in appointing these men would be to appoint men of experience in railway construction and operation. If they had appointed gentlemen of the experience of the hon. gentleman from de Lanaudière (Hon. Mr. Casgrain) do you believe we would have had the same results? Far from it.

Hon. Mr. CASGRAIN—They would have been worse.

Hon. Mr. BOLDUC—But the late Government thought that anybody was able to build a railway of that magnitude—a road having a length of 1,800 miles—that a man who had never seen railway construction, or had never seen a spike driven to attach a rail to a tie, would be a fit man to expend some hundreds of millions of dollars. Consequently the estimates of men of not the slightest experience in railway construction were taken, and what was the result? Instead of costing about $33,000 a mile from Winnipeg to Moncton, what have we to pay? We have about one hundred and eighty millions to pay, about three times the amount stated in the House by Mr. Fielding. Right Hon. Sir Wilfrid Laurier went one better. He thought thirteen millions would build the whole line.

Hon. Mr. DANDURAND—In annual interest.

Hon. Mr. BOLDUC—He never said so.

Hon. Mr. DANDURAND—Oh, yes. It is most amusing to hear my hon. friend attribute such a statement to the late Prime Minister.

Hon. Mr. BOLDUC—How is it the road has cost so much—about three times what was proposed to be spent on that construction? I have stated that the reason was because of the estimates of men without any experience; and how have these men acted in the construction of that road? We would expect a private company to try to have many tenderers for the construction of a railway, but, instead of that, they divided the whole length of the railroad into about 21 sections, and they put such stringent conditions in the clauses given by them for the tenderers that it was impossible for any one to tender without exposing himself to complete ruin. Amongst the clauses mentioned were the following:

> And we do hereby declare and agree that in case of refusal or failure to execute the said contract with the commissioners, and also to furnish the approved security required, to an amount not exceeding one third of the estimated total consideration of the contract, for the faithfull performance of the said contract, within ten days after acceptance of this tender, the said cheque shall be forfeited to the said commissioners as liquidated damages for such refusal or falure, and that all contract rights acquired by the aceptance of this tender shall be forfeited.

So that the tenderer who is not on good terms with the commissioner was exposed to the risk of losing everything he had. The amount to be deposited was not mentioned. It was stated in the directions that this amount was not to exceed one-third of the whole contract. A man contracting for eight or ten million dollars, was liable to be called on, in the eight days following the awarding of the contract, to give an amount equal to a third of the amount of his tender. If he could not he would forfeit his deposit. We understand very well how few men were able to tender for the construction of that railway. But, happily for the large contractors, they could make some ten or fifteen million dollars of profit without touching a shovel or spike, and if it had been open to all the contractors—all those who were in a position to build the railway—the road would have cost at least twenty-five or thirty million less than it actually did cost. I have been informed that the railway now has been accepted by the Government; there may be some of those small difficulties still with regard to some extras.

Hon. Mr. CASGRAIN—Some momentum grades.

Hon. Mr. BOLDUC—Which always come against a company or a Government. But the Government is in possession of the railroad now, and I am also informed that the Government has notified the Grand Trunk Pacific that they are ready to hand the road over to them, but the Grand Trunk Pacific are not ready to receive it.

Hon. Mr. CASGRAIN—Not coming across?

Hon. Mr. BOLDUC—It will take several years. The hon. gentleman from De Lanaudiére (Hon. Mr. Casgrain)said the company was operating of the portion from Superior Junction to Winnipeg. They may have running rights on that part of the road, but I hope the Government will see its way not to grant any more rights to the Grand Trunk Pacific before they have complied with their contract and agreement —they have contracted to operate the road in its whole length. I hope they will not permit the company to use the only part of the road which is to their advantage, and to leave the other. Of course, if the Government cannot induce the company to take over the road, they will have to operate it themselves, at what cost I do not know. It will be ten times worse than the Intercolonial railway, but still they will have to operate it. I hope if the Government operates it, they will operate the road from Moncton to Winnipeg. In looking over Mr. Autier's letter, and in perusing that letter we could discover a good partisan grip.

Hon. Mr. CASGRAIN—He is a Tory.

Hon. Mr. DAVID—Is the recommendation of the Board of Trade of Quebec worth nothing?

Hon. Mr. BOLDUC—No, they simply say we should operate the road.

Hon. Mr. DAVID—Common sense would tell us that.

Hon. Mr. BOLDUC—And he says in his letter that the fact that the road is not being operated has prevented many settlers from going to that Abitibi district, and that if it were operated we would see numerous settlers going there. I believe he is mistaken. We from the province of Quebec know very well that it is not a question of railway that prevents people from settling on Government land; it is the Department of Lands and Forests of the province of Quebec, with their poor policy of trying to prevent a settlement of Government lands as long as possible. This is not a party question; all the papers complain that the Liberal Government of Quebec instead of trying to induce the settlers to go on Government lands, prevent their settling on these lands as long as a single stick of good merchantable wood has not been removed.

Hon. Mr. DANDURAND—Does the hon. gentleman know the Crown Lands Department has sold over 1,500 lots already around Amos, and that any quantity of land today is at the disopsal of the settlers?

Hon. Mr. BOLDUC—Then all the good timber must be removed from that place, because I know it is the policy of the Government at the present time to retain those lands.

Hon. Mr CASGRAIN—It has never been lumbered over at all.

Hon. Mr. BOLDUC—Any settler wanting to settle on Crown Lands in Quebec must travel 50 or 100 miles to see an agent, and when he gets there he finds the land is withdrawn from sale;it is in the reserved portions of the township. He has to go back and travel around for five or six months before he succeeds in obtaining a lot, and he will never obtain it before the lumber merchant has cleared all the good timber from the lot.

Hon. Mr. CASGRAIN—I would not like the hon. gentleman to place himseslf on record with such a statement as that, because the part of the province under discussion has never been under licenses at all.

Hon. Mr. BOLDUC—Then there is no timber on it. I must say that the motion of my hon. friend from Mille Iles (Hon. Mr. David) was not necessary. He should have saved his time and all the trouble he took to make his motion. I may remark, en passant, that while he has a perfect right to do as he pleases, he is a great deal more anxious to discover grievances now than he was before 1911.

Hon. Mr. POWER—I had not thought of saying anything on this question, but the speech of the hon. gentleman from Lauzon (Hon. Mr. Bolduc) it seems to me, is intended as a sort of challenge to members who do not agree with him, to intervene in the discussion. I thought the hon. gen-

tleman had been long enough in the Senate to have shed his party feelings pretty effectually.

Hon. Mr. BOLDUC—Can the hon. gentleman say he has shed his ?

Hon. Mr. POWER—And I must say, having met him in different connections in the Senate I saw no reason to think he had not got rid of his party feelings; but the speech he has now made shows that the dye had sunk in very deeply, and that he is very considerably influenced by the sentiments he brought up from the other chamber. The hon. gentleman from Mille Iles (Hon. Mr. David), moved a resolution dealing with the existing condition of things, a resolution dealing with the business of the present hour, and a resolution that did not involve any partisan sentiment whatever. The hon. gentleman's resolution was:

That an humble address be presented to His Royal Highness the Governor General; praying that His Royal Highness shall submit to this House copies of all petitions to the Government or any member of the same, and of all correspondence and documents in connection with the discontinuation of the trains of the Transcontinental between Abitibi and Hervey Junction.

That was a perfect business-like, reasonable, and non-partisan request.

Hon. Mr. BOLDUC—What about his speech ?

Hon. Mr. POWER—If this road has been built and the Government decided to take it over, then the question, whether the Government were going to run trains, or allow the rails to rust, is a practical and important question. As to the number of immigrants that may go in there, I leave that to the hon. member from Mille Iles (Hon. Mr. David) and the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain). But the hon. gentleman from Lauzon (Hon. Mr. Bolduc) was not satisfied to deal with the present; he went back to the past, and undertook to discuss things that had happened in the year 1903, and after that; and among other things the hon. gentleman made an attack on the National Transcontinental Railway Commissioners. I do not mean to say that he attacked their personal characters, but he attacked them as not being qualified for the work for which they were appointed. The hon. gentleman seems to think that, instead of having a lawyer and two or three business men on the commission, it should have been composed of engineers like the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain). I understand the hon. gentleman would have been satisfied if the hon. gentleman from De Lanaudière had been appointed. I do not think, to begin with, that it is necessary that a commission intended for purposes such as that commission was intended for, should be composed of engineers. On the contrary, I do not think we have ever known any important work to be transacted as to which you would not find eminent engineers differing in the most radical way from one another; what you really need is a body of business like, sensible men, who will employ engineers to give them technical advice as to what they ought to do. That was the course the Transcontinental Commissioners took, and that they were justified and wise in taking that line is proved by the following facts, which the hon. gentleman cannot deny: after the National Transcontinental Commission had been got rid of the present Government appointed a gentleman named Leonard, who was to be the whole commission in himself. He was a most eminent engineer, even more eminent than the hon. gentleman from De Lanaudière, but he had not been in office many months when it was found that he was really not doing any better than his predecessors had done. He resigned, and the Minister of Railways is at the present time the Transcontinental Railway Commissioner.

Hon. Mr. DANDURAND—And he is not an engineer.

Hon. Mr. POWER—But the complaint I desire particularly to make is this: the present Government, perhaps judging others by themselves, and by their friends, thought this great work could not have been operated for several years without corruption and malpractice occurring. They appointed a commission of inquiry who were qualified enough to do the work; and the work the commissioners were expected to do was to find that there had been corruption, ignorance, and general malpractice in the construction of the Transcontinental.

Hon. Mr. BOLDUC—And they found it?

Hon. Mr. CASGRAIN—Not one dollar.

Hon. Mr. POWER—They did not; that is just the point. That commission spent several months making inquiries, they published two or four volumes of a report, and

from the beginning of that report to the end it clearly appears that they were unable to substantiate a single charge of dishonest or improper conduct on the part of the National Transcontinental Railway Commission. Although that Commission of Inquiry cost a great deal of money, I think the money was well spent; because it showed that one great public work at any rate, had been constructed in Canada without any graft or improper conduct. The hon. gentleman should have stopped to think a little before he made that attack on the National Transcontinental Railway Commission. If the hon. gentleman can point to any undertaking—not one as great as the National Transcontinental railway—but any undertaking of that character at all, which has been conducted under Conservative auspices, about which a commission of inquiry could not find something improper, then I am quite prepared to accept his view.

Hon. Mr. GORDON—I was under the impression that the gentleman who represents the constituency with the unpronouncable name, having taken over a week to prepare his speech on this subject, was going to give us a reason why the railway from Cochrane to Quebec should have been operated this season. That was the question I thought he was going to answer to-day. He has not given us any facts or figures to prove that the railway should have been operated this winter, other than to say that we have there a road which he considers to be the best in the world, a railway some 200 miles shorter between Winnipeg and Quebec than the Canadian Pacific railway. For these two reasons it is a railway which could be operated by a company to pay handsome dividends even this winter, because if the facts are as he stated then the railway in question would take all the trade which the Canadian Pacific railway has obtained this winter between the coast and Quebec. I venture to say— and I say it without fear of being contradicted by any gentleman who knows anything about railway operations in this House, or any gentleman from the West—that if that railroad were being operated to-day it would not pay for the coal which it would use. Imagine a train leaving Winnipeg to-day and going down to Quebec, on a line where there is not one single solitary feeder, except at Port Arthur over the Superior road—and even that would be a branch from which they could not expect to receive any freight. It has but that one feeder—and it should not be considered a feeder—and the Timiskaming and Northern Ontario railway which also cannot be considered a feeder for anything going east. I am sure, if hon. gentlemen think over the situation, after the explanation which my hon. friend has given us with regard to the character of the country through which the road runs, they will agree with me. He informed us candidly, I think, that between Amos and as far as he went on the road—Bell river?

Hon. Mr. CASGRAIN—Bell river.

Hon. Mr. GORDON—There were only a few hundred settlers, and that being the case it is easy for any person to see that there would be practically no local trade whatever. One of the things he said with regard to the pulp wood, which he thought should have been transported this winter by this railway, was this: that the railway would transport that pulp wood to the St. Maurice, and then it would be floated down that stream. I have too much respect for my hon. friend as a business man to think he is sincere in putting that proposition forward, because he knows, even better than I do, that there are millions of cords of pulp wood on the St. Maurice yet, and he knows, even better than I do, that to-day the only business which can stand up is the business which can be done at a profit. No person is going to buy that pulp wood, no person is going to try to take out pulp wood, out of which a living profit cannot be made for the man who is taking it out. Therefore that dissipates his argument with regard to that.

Hon. Mr. DAVID—Did the hon. senator for Lauzon (Hon. Mr. Bolduc) not say in his great speech that the Government was to operate the road? How does the hon. gentleman from Nipissing (Hon. Mr. Gordon) reconcile what he says with what the hon. gentleman from Lauzon said?

Hon. Mr. GORDON—I heard what the hon. gentleman said as well as my hon. friend heard it, and that is all I know about it. I do not know whether the Government intend to operate it or whether they do not, but I would like to ask my hon. friend this question: if by operating this road all the trade could be taken away from the Canadian Pacific railway, and money could be made out of the operation of it, why have the Grand Trunk railway not taken over

this road before to-day, which we are told is completed? The Grand Trunk railway men are business men. The receipts on their road, as well as the receipts of others, have been climbing all winter, and I am sure they would have been only too glad to have operated it before now, if they could have made money out of it.

Hon. Mr. CASGRAIN—The reason they are not operating it is because things are so bad since the hon. gentleman's friends came into power that there is no business to be done by anybody.

Hon. Mr. GORDON—We will take that for the hon. gentleman's answer, I had hoped the hon. gentleman would exhibit more intelligence in giving an answer, because every one knows the depression under which we are suffering at the present time would have existed no matter what Government were in power. Every person knows that the only business which we can expect for that road, and for which we have now to sit down and wait, is that which we may expect from the West next fall. If the crops are not any better than they were this year, and there is no increased acreage, I submit it is better for the country, in the event of the Government having to operate that road, to leave it as it is, because it is good business sense not to throw good dollars after bad. If the road can only be operated at a loss, it is better to leave it until the time to operate it successfully arrives.

Hon. Mr. WATSON.—I have no intention of taking up the time of the House on this question, but because of some remarks that fell this afternoon from hon. gentlemen on the other side of the House I could not sit still; I could not allow them to go without some contradiction. The last hon. member who spoke said that if the road were not going to pay, better let it stand idle, let the ties rot—let the rails rot rather than operate it at a loss. When that road was built, when the people of Canada undertook to finance that road, and made a bargain with the Grand Trunk Pacific, it was never contended that there were not some portions of that road which could not be operated except at a loss. The hon. gentleman knows perfectly well that the Canadian Pacific railway, a successful corporation, operates hundreds, yes thousands of miles where the local freight do not pay the axle grease, but they operate these portions in connection with the whole system.

Why do not the Grand Trunk Pacific take over this road, and be compelled to operate it under the contract with the Government? Simply because the hon. gentleman's friends alter the change of Government, degraded the road to such an extent as to allow the Grand Trunk Pacific to refuse to comply with the conditions under which they would take over that road.

Several hon. GENTLEMEN—No.

Hon. Mr. WATSON—Consequently the Grand Trunk Pacific now are holding back looking for better terms than they made with the late Government for taking over and operating that road. I say that it is a hardship, and the gentleman who brought this matter before the House is entitled to the sympathy of the people for whom he is speaking, because those people no doubt went in there and settled in that country on the expectation that because that road was built they would have railway accommodation and railway communication. Mr. hon. friend gets up now and says, "No, let the people stay there; unless there are people sufficient to make it profitable to open that road, they prefer that it should not be operated at all." That is what I complain of. My hon. friend from Lauzon (Hon. Mr. Bolduc) criticised the action of the late commission, but the hon. member from Halifax (Hon. Mr. Power) has sufficiently answered that. A commission was appointed by the present Government, properly so I say, to investigate, and it is a good job they did. For one thing, it is complimentary to public life in Canada that after a thorough investigation no fault was found with the Grand Trunk Pacific Commission.

Hon. Mr. BOLDUC—You have never read the report, then?

Hon. Mr. WATSON—I read the report, I listened to the investigation, and I found there was no charge in connection with that commission. More than that, the Grand Trunk Pacific vouched for every dollar that was expended by the commission on the road, that was built under their own plans and under the supervision of their own engineers; the contract was in such shape that had the Liberal Government remained in power, and the commission completed the road the Grand Trunk Pacific would have been operating that road to-day, they would have had to do it under their contract. I was rather surprised to hear the hon. gentleman expressing wonder at $13,000,000 being the amount spoken of for

the building of the Transcontinental railway. He knows very well it was never suggested that that section of the road could be built for 13 millions. That was the estimate of cost for interest prepared by the Chief Engineer, Mr. Schreiber, and submitted to Parliament at the time that contract was let, and the proposition was submitted to the people of Canada.

Hon. Mr. BOLDUC—What were the figures given by Mr. Fielding in the other House?

Hon. Mr. WATSON—The figures given at that time and talked of were at a cost of $13,000,000 to Canada for interest.

Hon. Mr. BOLDUC—No, he said $57,000,000.

Hon. Mr. WATSON—Sir Wilfrid Laurier said $13,000,000. Now I say if there are any reflections to make in connection with the Grand Trunk Pacific, and the non-operation of the road, it is the fact that hon. gentlemen who now control the affairs of this country interfered with the carrying out of that contract and bedeviled the whole thing by degrading the road so that the Grand Trunk Pacific to-day are not compelled under their contract to take over the road, the Government are practically admitting they are not, because there is no necessity that they should take it over and operate it.

Hon. Mr. GORDON—Will the hon. gentleman answer a question?

Hon. Mr. WATSON—I will try to.

Hon. Mr. GORDON—My hon. friend from de Lanaudière (Hon. Mr. Casgrain) told us that this road was the best graded road in the world—best ties, best rails and everything else.

Hon. Mr. CASGRAIN—So they are.

Hon. Mr. GORDON—Now, you say the road has been degraded; where is the discrepancy?

Hon. Mr. WATSON—I am not reflecting on the ties or on the rails, but I say the road has been degraded because the grades have been changed.

Hon. Mr. BOLDUC—Where?

Hon. Mr. WATSON—The contract was to be a certain grade—four-tenths of one per cent going east, and six-tenths going west. They have degraded the road and called these inferior grades "momentum grades." The Grand Trunk Pacific have a just case in saying, "You were not building that road according to contract."

Hon. Mr. GORDON—He says it is the best in the world.

Hon. Mr. WATSON—I have no doubt the western portion of the road is the best in the world. Previous to the change of grades by this Government I have no hesitation in saying it was the best piece of railway in the world.

Hon. Mr. DANIEL—Was there not a pusher grade on it, or at least two, of one per cent rise, I think down in New Brunswick or in the eastern part of Quebec?

Hon. Mr. WATSON—I want to say that any grades that are over the four-tenths or six-tenths of one per cent agreed to while the commission was constructing that road, were agreed to by the Grand Trunk Pacific, and could not interfere with that contract, and if that is the case my contention is right, that the Government should be in a position to compel the Grand Trunk Pacific to take over that road and operate it according to contract. But Mr. Chamberlin wrote protesting against the degrading of that road and notifying the Government that the Grand Trunk Pacific would not take over the road because it had been degraded. What I am complaining of is that the Government put the Grand Trunk Pacific in such a position that they are not compelled to take over and operate that road. We people in the West want every outlet, every spout we can have, for carrying out our grain. I know that road as far west as from Winnipeg to Edmonton, and there was no better road in America. I think it is a marvel, and railway people who rode over it were surprised that a road of such recent construction can be in such good condition as it is to-day.

Hon. Mr. GORDON—If the road were in operation now, how much freight do you think you would have to send over it to-day?

Hon. Mr. WATSON—My hon. friend ought to know that, because it was supposed that there would not be sufficient freight to make it a paying proposition for some years, and therefore the Government provided for seven years interest to allow for the collection of freight. I have no doubt at all that if that road was operated, instead of the few settlers to which my hon. friend made reference, there would be thousands of settlers in addition to those that are there to-day; but if the people are going to be held up, and given no railway

communication, what is the use of settling the country? Surely the road is built and ought to be operated, even if it has to be operated at a loss for a time; the Canadian Pacific railway is operated for hundreds of miles at a loss as far as local trade is concerned. Why not operate this road, and thus divert trade down from Cochrane in the other direction?

Hon. Sir MACKENZIE BOWELL—I understand the hon. gentleman (Hon. Mr. Watson) to say that the reason that the Grand Trunk Pacific have not taken over that road was on account of the changes that were made, which he designates as degrading the road?

Hon. Mr. WATSON—Yes.

Hon. Sir MACKENZIE BOWELL—Do you speak authoritatively in that?

Hon. Mr. WATSON—I think so, when I quote Mr. Chamberlin's letter to the Government saying that he refused to take the road over because of the degrading of the road. Surely that is sufficient evidence.

Hon. Sir MACKENZIE BOWELL—Then there is another reason, at all events, why the company would not take the road over—because they would not assume the responsibility for the expenditure on the road; the road had cost so much more than was contemplated that it would impose on the Grand Trunk Pacific an annual expenditure so great, over and above anything they could earn, that they would not take the road over.

Hon. Mr. WATSON—No, I take issue on that point.

Hon. Sir MACKENZIE BOWELL—Mind you, I do not vouch for either of them.

Hon. Mr. WATSON—I take issue on that; such ground has never been taken and could not be successfully taken, because the Grand Trunk Pacific engineers vouched for every dollar that was spent on the road by the commission under the contract. More than that, the Grand Trunk Pacific had the opportunity of contracting, and did contract, for a large portion of that road, and did the work.

Hon. Mr. GORDON—Is it possible that that ground could be taken, and that you would not know anything about it?

Hon. Mr. WATSON—What ground?

Hon. Mr. GORDON—The ground of the road having cost too much?

Hon. Mr. WATSON—I am not in the secrets of the Government, and I know only what has been published.

Hon. Mr. BOYER—This seems to be a questioning match. I would ask my hon. friend from Lauzon (Hon. Mr. Bolduc) who has told us that that part of the road from Cochrane down to Quebec is practically useless, what is the use of spending any more money on it? That question was asked last week in the House of Commons and answered by the Minister of Railways. Mr. Graham put the questions about the Transcontinental Railway Quebec terminals:

NATIONAL TRANSCONTINENTAL RAILWAY—QUEBEC TERMINALS.

Mr. GRAHAM:

1. Has work been started on the proposed terminal in connection with the National Transcontinental Railway terminals in the city of Quebec?

2. If so, what amount has been expended on this work up to December 31, 1914?

Mr. COCHRANE:

1. Yes.

2. $372,514.86 expended by the commissioners for lands, and $154,293.83 by the Canadian Pacific Railway Company on tracks and buildings.

Mr. GRAHAM:

1. Has the Government purchased what is known as the St. Malo Railway line, adjacent to Quebec?

2. If so, what was the price paid?

3. Has any contract been awarded for the rebuilding or repairing of the road, or any part of it?

4. If so, what is the estimated cost of such repairs?

Mr. COCHRANE:

1. Yes.

2. $175,000.

3. Yes.

4. $11,000.

Hon. Mr. BOYER—Now it is a known fact that the old commission of the National Transcontinental railway purchased, immediately adjacent to the bridge at Quebec, with the consent of the Grand Trunk Pacific officials—without whose consent they could not purchase any land or build any road—over 300 acres of land so as to build the necessary terminals immediately adjacent to the Quebec bridge. It strikes me that 300 acres is a pretty large plot of land. The price paid was $350 an acre; but the present Government, which finds that this bit of a road is not worth exploiting, that it would not pay the axle grease, actually last summer purchased a thousand acres of land at a place near Quebec called St. Malo, some seven miles distant from the terminal bridge at a cost of $1,000 an acre, so we are told, and to connect this new land with the terminals and the bridge they had to purchase

from the Canadian Northern railway a little branch line seven miles long for $175,000 on which the estimated repairs are $11,000. Here is over $800,000 uselessly spent on terminals of a road that the hon. gentleman admits is not worth exploiting, when the Government actually possessed adjacent to the Quebec bridge enough land for the next 40, 50 or 60 years to come, to build the necessary terminals. But, of course—we are not in the secrets of the gods—more land was wanted to favour certain factions in the city of Quebec, and the difference of grade between the land purchased by my hon. friends opposite and the Quebec bridge is exactly 120 feet, and the estimated cost of hauling a car from the lower grade to the upper grade is $8. Does it not strike hon. gentlemen opposite that if this money, instead of being uselessly spent, had been spent in the exploiting of the railroad, had been spent relieving those that cry to-day because they went out in the forest to try and make our country bigger, to try and make a part of that country prosperous, a country with a great future—instead of spending that money and throwing it into private pockets, into pockets of speculators, wire pullers and politicians, it would have benefited the country much more, if that money had been spent even at a loss—the loss would not have been near $800,000—and the expenditure would have carried a great deal of relief to the unfortunate settlers at Abitibi.

Hon. Mr. LOUGHEED—My hon. friend from Mille Iles (Hon. Mr. David) has placed on the Order Paper a motion reading as follows:

> That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness shall submit to this House copies of all petitions to the Government, or any member of the same, and of all correspondence and documents in connection with the discontinuation of the trains of the Transcontinental between Abitibi and Hervey Junction.

This discussion—I do not know whether or not to call it a debate—seems to have resolved itself into a very vigorous attack upon the Government of the day, for some reason or other not quite apparent.

Hon. Mr. WATSON—And the Railway Commission.

Hon Mr. LOUGHEED—One would fancy that this road had been in operation for a considerable number of years. One might imagine that during that length of time the land along the railway extending over about 1,800 miles had been thickly settled with a prosperous and a happy people, and that quite suddenly, without the slightest intimation, the operation of the road ceased and this prosperous and numerous people were at once plunged in the depths of despair and adversity by reason of some action on the part of the Government in not operating the road. But, gentlemen, this road was in the hands of the contractor until last autumn, until the beginning of winter, between Quebec and Cochrane. Immediately upon completion of the road, that is to say, upon the completion of the work to be done by the contractors, the Minister of Railways—the proper official in that behalf—proceeded to make a personal inspection of the entire road between the city of Quebec and Cochrane; and he found along the road two conditions, one of which was a fairly large settlement in the vicinity of Amos, probably not more than a thousand settlers. He at once proceeded to make provision within reasonable bounds respecting those settlers. My hon. friends in Quebec, including the Quebec Board of Trade, and all other intelligent bodies and individuals, would surely not expect the Government of Canada to open up the whole of this system of railway and subject the country to the enormous expense which would be involved in operating some 1,800 miles of road in order to meet the requirements of those who had settled during construction at, say, one particular point along that road. The contractors, who had the right to operate the road during its construction, found to their very great disadvantage, notwithstanding the rights which were given them to operate the road, that any operation was carried on at a very serious expense and loss to themselves. The Government at once proceeded, when the point was reached when they could intervene, to investigate the conditions to which I have referred and to give the necessary assistance to those settlers. Now, what has that assistance cost? We must not overlook the fact that this road was not built to be operated by the Government of Canada.

Hon. Mr. WATSON—Hear, hear.

Hon Mr. LOUGHEED—This road was built to be operated by the Grand Trunk Pacific.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. LOUGHEED: The Government took all the necessary steps to induce the

Grand Trunk Pacific to operate the road upon its completion by the contractors. But the Grand Trunk Pacific have not responded; they have as yet refused to operate the road—and I shall come in a moment to why they refused, or as to the alleged causes of their refusal. But the Government, in the face of the inconvenience suffered by those settlers, small in proportion to the vast territory of country over which they may be distributed, found that to operate even the 270 miles of road which would bring them in contact with the other great systems of railway in Canada would cost no less than $12,000 a month for a bi-weekly service. Consequently, notwithstanding the enormous expense to which the country is now subjected, for the purpose of meeting the convenience of this small group of settlers, we are paying no less than $12,000 a month to operate 270 miles of road with a bi-weekly service in order that we may give convenience to those settlers. Yet my hon. friend from Mille Iles and gentlemen on the opposite side of the House are attacking the Government because they are not spending an infinitely greater amount to operate not only that particular section, but in fact the whole length of the road, which I venture to say would cost millions of dollars to operate.

Hon. Mr. CASGRAIN—Where are the 270 miles that they are operating?

Hon. Mr. LOUGHEED—They are operating between Amos and Cochrane, and Cochrane and Hearst. Between Cochrane and Hearst the distance is 129 miles, and between Hearst and Amos 141 miles; and this will place those settlers, who I am informed are the only settlers entitled to serious consideration that are settled along that line, in contact with the other systems of railway in Canada so that they may have access to the various markets of the Dominion. Now I ask hon. gentlemen seriously if the Government of Canada would have been justified in entering upon such an expenditure as would be involved in operating that entire system? If 270 miles of road with settlers located along that length of road will cost the Government of Canada $12,000 a month for a bi-weekly service, how much, I ask, would it cost to operate its entire system the greater part of which is not settled at all? I qualify that last statement in this way, that the Minister of Railways himself made a personal investigation into the other portions of the road, and he found that in addition to the settlers to whom I have already referred there are a few industries which have become to a certain extent developed—industries capitalized at a fair amount, and evidencing signs of prosperity. He made the proposition to those various industries that the Government would be only too glad to place them within communication of the markets of Canada provided they paid the cost thereof without any profit whatever to the Government, that is to say, the actual cost of operating a train service for the purpose of meeting their requirements. The Government was quite prepared to give to them all the advantages that they needed for the carrying out of whatever business they were in.

Hon. Mr. CASGRAIN—Do you know at what point?

Hon. Mr. WATSON—What is the revenue now?

Hon. Mr. LOUGHEED—The revenue of what?

Hon. Mr. WATSON.—You said $12,000.

Hon. Mr. LOUGHEED.—There is no revenue whatever. The contractors who are operating the bi-weekly service from Hearst to Amos receive from the Government of Canada $12,000 a month for that bi-weekly service, and anything else they can make out of it; and they have already pointed out to the Government that there is no revenue. This, I submit to hon. gentlemen, will cover both the conditions that have been spoken of. It is well enough for hon. gentlemen to point out the great possibilities of this road. I am not at this particular point going into a discussion at all of this contract, of the National Transcontinental railway. That subject may come up in the future, and if it should come up in the future it is very desirable that the Senate of Canada should be in possession of all the facts attending the discussion of such a subject. The Senate of Canada should not enter lightly upon a discussion of so large and important a transaction, involving such an enormous expenditure and invested with all the possibilities of this particular undertaking. Therefore it seems to me it would reflect very much greater credit upon the Senate that we should reserve the discussion of such a subject until we are in a position to intelligently deal with the undertaking.

My hon. friend from Portage la Prairie, I believe in the best of good faith, has not only referred to-day but on previous occasions to the reason why the Grand Trunk Pacific has not taken over this system. My hon. friend is entirely incorrect in the conclusion at which he has arrived. I might say that the alleged de-grading of the road has nothing whatever to do with the subject. There are larger reasons than that.

Hon. Mr. WATSON.—Excuse me, did Mr. Chamberlin not say so?

Hon Mr. LOUGHEED.—That does not for a moment establish the case; and I would say to my hon. friend that any representations which Mr. Chamberlin or any other official of the Grand Trunk Pacific may make with reference to assuming the responsibility at the present moment of taking over the National Transcontinental railway need not be taken too seriously. Mr. Chamberlin, very wisely, is not stating for publication the more important considerations that influence the company.

Hon. Mr. WATSON.—Oh!

Hon. Mr. LOUGHEED.—Allow me to point out to my hon. friend so that he may hereafter not agitate himself too seriously upon the subject, that the control of the grades of the National Transcontinental railway is in the hands of the Government. My hon. friend will not find in the contract anything to warrant the conclusion at which ne has arrived—that this road is to be built to a gradient of four-tenths going east or six-tenths going west, as my hon. friend from De Lanaudière (Hon. Mr. Casgrain) has pointed out. The control of the grades is in the hands of the Government; and while it is alleged that the representatives of the Grand Trunk Pacific, who are the other parties to the contract, may not have fully agreed as to some of those grades with the Government, yet, substantially speaking, the Grand Trunk Pacific have been parties to everything that has been done upon that line.

Hon. Mr. BOWELL—Hear, hear.

Hon. Mr. WATSON—Up to date?

Hon. Mr. LOUGHEED—They exercised a joint supervision with the Government of Canada in its entire construction. The very shops upon which my hon. friend from De Lanaudière (Hon. Mr. Casgrain) spent so much time in elaborating upon, had the Grand Trunk Pacific as parties to the selection thereof, and I am informed endorsed whatever was done by the Government in the matter.

Hon. Mr. CASGRAIN—For the work in the shops the Grand Trunk Pacific agreed to the location of the shops there?

Hon. Mr. LOUGHEED—Yes, I am informed that whatever location was determined upon, the Grand Trunk Pacific were parties thereto. My hon. friend may not have as accurate information upon the subject as others. I also would advise my hon. friend from De Lanaudière not to take too seriously the representations of the street which may be made for certain purposes from time to time. If he will not accept too seriously these representations he will appreciate to a very much more satisfactory extent than he is doing the relations between the Government of Canada and the Grand Trunk Pacific. As far as the grades are concerned, assuming for the moment that there should be any disagreement between the Grand Trunk Pacific and the Government, it is an easy matter to rectify any of those differences. In reference to some of those grades, the so-called pusher grade about which we have heard so much—

Hon. Mr. CASGRAIN—Momentum grade.

Hon. Mr. LOUGHEED—It is only a grade of ·65, which very closely approaches four-tenths; but even that grade was consented to by the Grand Trunk Pacific, the agreement with the late Mr. Hays being that in the event of its being desirable to reduce it at any time the Government would be prepared to consider the subject. But it must be manifest to hon. gentlemen that large expenditures that might be made by the Government in avoiding gradients or curvatures would be in turn assumed by the Grand Trunk Pacific. If economies could be carried out in the road, those economies enured, in more manifest advantage, to the Grand Trunk Pacific than to the Government of Canada, and consequently any little differences of the kind upon which hon. gentlemen have so elaborated are subject easily to being remedied by additional expenditures.

Hon. Mr. DAVID—Will the hon. gentleman allow me to ask him a question? Is he of opinion with the hon. member from Lauzon, who said that the railway would be operated by the Government eventually?

Hon. Mr. LOUGHEED—I am very glad my hon. friend has spoken of that point; I came near overlooking it. As already pointed out, the Minister of Railways made a personal investigation of the entire system in the late autumn. As I have said, we are operating 270 miles of the road, namely, from Hearst to Amos. Now, as to the operation of the entire system, it will be necessary almost immediately for the Government of Canada to operate in a limited way the entire system for the purpose of maintenance. Hon. gentlemen will readily understand that owing to climatic conditions which must necessarily play a very large part in the road, for instance, such as spring freshets and all that kind of thing, it will be necessary for the Government almost at once to enter upon the entire system with a view of keeping it open; and if any inconveniences have been suffered by those living along the line up to the present time, there is a possibility of those difficulties being overcome when the Government through force of circumstances will be called upon at a very early day to place under operation the entire system for the purpose of maintenance and for the purpose of preventing the decay into which the road must necessarily fall except it becomes a going-concern.

Hon. Mr. DAVID—I have another question, you answered so well. When did the Government arrive at that decision?

Hon. Mr. LOUGHEED—The Government always foresaw that that would have to be done, and the necessary steps are now being taken by the Department of Railways looking to the operation of the system so as to place it in a position of activity, before the spring freshets.

Hon. Mr. WATSON—By the Grand Trunk Pacific, or by the Government?

Hon. Mr. LOUGHEED—Oh, no, by the Government. I would furthermore say that immediately the contractors completed their contracts between the points which I have mentioned, namely, Quebec and Cochrane, the Government took the necessary steps to notify the Grand Trunk Pacific of the completion of the road and of the necessity of their carrying out or fulfilling the obligations which fall upon them under the contract between the Crown and the company.

I need not say to hon. gentlemen that the company has not responded with that alacrity which the Government would very much like to see. They have not pointed out wherein the road is incomplete in any particular respect but they rely upon a general objection, which as my hon. friend opposite knows is a very favourite objection, in special pleading. What the result of this may be I cannot say. The probabilities are that negotiations between the Grand Trunk Pacific and the Government may be extended over some period of time, but in the meantime the perplexities which must necessarily attend the handling of so important a matter will be thrown upon the shoulders of the Government. I hope the explanation which I have given will satisfy my hon. friend from Mille Iles, and that the Government of the day will be acquitted of any desire to embarrass in the least those who may have settled along the line of that road. I think hon. gentlemen will agree with me, no matter to what extent they may disagree with the political colour of the Government of the day, that it is highly desirable the Government should exercise the greatest economy in the further handling of this undertaking which has already cost the Government of Canada a sum enormously in excess of that which was anticipated by the late Government.

Hon. Mr. CASGRAIN—The hon. gentleman says there are only 270 miles out of the 1,804 between Moncton and Winnipeg in operation. I thought the section from Winnipeg to Superior Junction, 458 miles was in operation. Further, I thought that from Lévis to Moncton there was a bi-weekly service started a long time ago.

Hon. Mr. LOUGHEED—I am not discussing that. I am simply discussing that section of the railroad which has to do with the discussion which arose to-day, namely between Quebec and Cochrane. I understood that my hon. friend from Mille Iles (Hon. Mr. David) was not interested in the oth r sections of the road. Of course, a temporary arrangement has been entered into for the operation of the section between Winnipeg and Superior Junction.

Hon. Mr. CASGRAIN—The Government seem to be paying a pretty good rent considering the fact that they are hard up—$12,000 per month. Have you figured out how much that is per train mile?

Hon. Mr. LOUGHEED—No, but that is the best we can do.

Hon. Mr. CASGRAIN—The Government is not doing very well.

Hon. Mr. LEGRIS—I move that the debate be adjourned until Wednesday next.

Hon. Mr. DAVID—Could the hon. leader of the House furnish the documents which I have asked for, before the discussion is resumed next week?

Hon. Mr. LOUGHEED—I thought the debate was closed and I rose to indicate to my hon. friend that we would bring down the papers.

Hon. Mr. DAVID—But I have a right to reply.

Hon. Mr. LOUGHEED—The motion has not yet been carried.

Hon. Mr. DAVID—I know I am not entitled to the papers if my hon. friend does not wish to give them.

Hon. Mr. LOUGHEED—I have no desire to embarrass my hon. friend discussing this matter.

Hon. Mr. DAVID—It is on account of the remarks made by the hon. gentleman from Lauzon that I feel I should have access to the documents. I think I could obtain satisfactory information from them.

Hon. Mr. BOLDUC—I do not find any fault with the motion of the hon. gentleman, but I do find fault with the remarks which he made when discussing his motion.

The motion was agreed to, and the debate was adjourned until Wednesday next.

BILLS INTRODUCED.

Bill No. 43, An Act respecting the Huron and Erie Loan and Savings Company, and to change its name to the Huron and Erie Mortgage Corporation.—Hon. Mr. Dandurand.

Bill No. 58, An Act respecting the Casualty Company of Canada.—Hon. Mr. McHugh.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Ottawa, Friday, March 12th, 1915.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

GOVERNMENT VALUATION OF AGRICULTURAL IMPLEMENTS.

INQUIRY.

Hon. Mr. DAVIS inquired of the Government.

1. What valuation did the Government put on 7 and 8-foot McCormick Binders at Winnipeg, Calgary, and Regina in 1911, respectively, also on Deering and all others of same dimensions on said date, and what valuation did the Government put on said binders in 1914 at said ports of entry?
2. What valuation did the Dominion Government place on farm wagons with and without box at port of entry in Winnipeg, Calgary and Regina, July and August, 1911, giving the valuation in each case?
3. What valuation was there placed on same class of wagons in July and August, 1914, at same port of entry?

Hon. Mr. LOUGHEED—One answer will cover the three questions, and the answer is as follows:

The Department of Customs does not fix the value for these articles. Imported goods are subject to valuation for duty purposes according to the fair market value as sold for home consumption in the country of export.

Different manufacturers sell similar lines of articles at different prices, so that values are not uniform.

Exporters are required to certify on invoices for entry at Customs the fair market value of the goods as sold for home consumption in the country of export.

THIRD READINGS.

Bill (4), An Act respecting The Alberta Central Railway Company.—Hon Mr. De Veber.

Bill (5), An Act respecting The Athabaska and Grande Prairie Railway Company.—Hon. Mr. Talbot.

Bill (6), An Act respecting The Brantford and Hamilton Electric Railway Company.—Hon. Mr. Ratz.

Bill (7), An Act respecting The British Columbia and White River Railway Company.—Hon. Mr. Casgrain.

Bill (9), An Act respecting The Essex Terminal Railway Company.—Hon. Mr. Taylor.

Bill (10), An Act respecting The Grand Trunk Railway Company of Canada.—Hon. Mr. Thompson.

Bill (13), An Act respecting The Montreal and Southern Counties Railway Company.—Hon. Mr. Casgrain.

Bill (21), An Act respecting The Canadian

Northern Ontario Railway Company.—Hon. Sir Melvin Jones.

Bill (22), An Act respecting The Canadian Northern Quebec Railway Company.—Hon. Mr. Mitchell.

Bill (23), An Act respecting The James Bay and Eastern Railway Company.—Hon. Mr. Mitchell.

Bill (24), An Act respecting The Ottawa and New York Railway Company. (As amended)—Hon. Mr. Davis.

Bill (25), An Act respecting The South Ontario Pacific Railway Company.—Hon. Mr. McHugh.

Bill (26), An Act respecting The Southern Central Pacific Railway Company.—Hon. Mr. Bostock.

Bill (D), An Act for the relief of Helene Suzette Baxter Douglas.—Hon. Mr. Mitchell.

Bill (C), An Act for the relief of William Ewart New.—Hon. Mr. Talbot.

SECOND READINGS.

Bill (17), An Act respecting the Canadian Pacific Railway Company.—Hon. Mr. Young.

Bill (20), An Act respecting the Van Buren Bridge Company.—Hon. Mr. Derbyshire.

Bill (53), An Act to incorporate Marcil Trust Company.—Hon. Mr. Dandurand.

Bill (59), An Act respecting the Empire Life Insurance Company.—Hon. Mr. Kerr.

Bill (E), An Act respecting the Premier Trust Company.—Hon. Mr. Belcourt.

Bill (F), An Act respecting The Edmonton, Dunvegan and British Columbia Railway Company.—Hon. Mr. Talbot.

GRAIN GROWERS' GRAIN CO.—BILL.

SECOND READING.

Hon. Mr. Pope moved the second Reading of Bill (H) An Act respecting the Grain Growers' Grain Co.

Hon. Mr. DAVIS: There seems to be some new matter in this measure, and I do not think we should be asked to accept the principle of the Bill without some explanation.

Hon. Mr. POPE: Not being the promoter of the Bill, I am not in a position to give an intelligent explanation, such as the hon. gentlemen desire. I have been asked, as hon. members often are, to take charge of the Bill, without having any knowledge of its provisions.

Hon. Mr. POWER: The explanation can be given in Committee.

Hon. Mr. CASGRAIN.

Hon. Mr. DAVIS: Clause 12 is an amendment to the existing charter. The Company is asking power to carry on business in all its branches, wholesale and retail. That is a matter for provincial legislation.

Hon. Mr. POPE: The provisions of the Bill can be dealt with by the Committee.

The Motion was agreed to, and the Bill was read the second time.

Hon. Mr. WATSON: I move that rules 30, 63 and 119 be suspended so far as they relate to this Bill.

The Motion was agreed to.

The Senate adjourned until Tuesday next at 8 o'clock in the evening.

THE SENATE.

Tuesday, March 16, 1915.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (I), An Act for the relief of Lottie Thorndike.—Hon. Mr. Derbyshire.

Bill (J), An Act for the relief of Arthur Ernest Birdsell.—Hon. Mr. Ratz.

FIRE GUARDIANS AND FOREST RANGERS.

INQUIRY.

Hon. Mr. DAVIS inquired:

1. How many fire guardians and forest rangers were there employed by the Government in August and September, 1911, in Manitoba, Saskatchewan and Alberta? And what amount of money was there paid out for this service for the year 1911?

2. What amount did the owners of berths contribute for fire guardians in 1911 in the above provinces?

3. How many fire guardians and forest rangers were there in the employ of the Government in the above provinces in 1914? How much did owners of berths contribute, and what amount was there paid for this service in this year in said provinces?

Hon. Mr. LOUGHEED—The answers are:

1. 136 fire guardians and forest rangers, $90,626.

2. $7,221.

3. 294 fire guardians and forest rangers. $11,220. (Amount of assessment not yet paid in.) $177,971.

HOMESTEAD INSPECTORS IN ALBERTA, SASKATCHEWAN AND MANITOBA.

INQUIRY.

Hon. Mr. DAVIS inquired of the Government:

1. How many homestead inspectors were there employed in Saskatchewan, Alberta and Manitoba in 1911? How many inspections did they make in said year, and what was the total cost of salaries, expenses, etc.?
2. What number were employed in 1914, how many inspections did they make? What was the total expenditure for salaries and other expenses?

Hon. Mr. LOUGHEED—The answers are:

1. 48 homestead inspectors. During the year 1911 the record of inspections was kept in the various land offices in the West and we will have to obtain the information from these offices. Cost, $101,969.22.

2. 69 homestead inspectors, 12,972 inspections. Cost, $150,869.49.

The above answers are for the fiscal years 1910-11 and 1913-14 respectively.

Hon. Mr. DAVIS—Do I understand my hon. friend to say that he has no answer to one part of my question, that part which refers to the number of the inspectors in 1911? If it is possible to give the information for 1914, I do not see why he cannot furnish it for 1911?

Hon. Mr. LOUGHEED—I have read the return that I have received.

Hon. Mr. DAVIS—I do not see why the hon. gentleman cannot give it for 1911?

Hon. Mr. LOUGHEED—I will make further inquiry.

PURCHASE OF SUBMARINES ON THE PACIFIC COAST.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

What is the cost of the two submarines purchased by the British Columbia Government, or by Sir Richard McBride?

1. What is their displacement?
2. What is their maximum cruising radius?
3. How are they armed?
4. What is their speed above water, and what is their speed submerged?
5. Are they for harbour defence or for deep water?

Hon. Mr. LOUGHEED—The Department of the Naval Service furnishes the following reply:

The Federal Government purchased two submarines at a cost of $1,150,000.

1. 313 tons.

2, 3 and 4. This information is generally considered confidential and at the present time is not considered advisable to publish details relating to the defence of Canada.

5. For both—that is, for harbour defence and for deep water.

Hon. Mr. McSWEENEY—Does the hon. gentleman say that the information asked for by question No. 4 is confidential?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CASGRAIN—Is it the Government or Sir Richard McBride that bought the submarines?

Hon. Mr. LOUGHEED—Oh, the Government.

COST OF SERVICE ON THE NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

What is the Government paying per train mile for the service east and west of Cochrane on the Transcontinental railway?

Hon. Mr. LOUGHEED—The answers furnished me by the Chief Engineer of the Transcontinental Commission is that the cost is $5.35. I should like to rectify a mistake I made the other day in saying that there was a bi-weekly service between the points mentioned. It is a weekly service.

Hon. Mr. CASGRAIN— That makes the cost very excessive.

SUBWAY ON THE INTERCOLONIAL RAILWAY AT MONCTON.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

How many, and who tendered for the subway of the Intercolonial railway?

1. The amount of each tender; the names of contractors?
2. The name of the contractor?
3. Whose tender was accepted, and the amount of said tender?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. Tenders were received as follows: F. W. Summer, Moncton, D. G. Kirke, Antigonish, William Cooke, North Sydney, $69,992; Smith, Merrithew Co., Fredericton, N.B., $68,832.50; Henry J. Phillips, R. E. Mutch and Archibald McLean, Charlottetown, P.E.I., $66,501; E. B. Evans, Montreal, $65,593; E. L. Boone, St. John, N.B., $55,353.60; Messrs. Sherwood and Sherwood, Toronto, Ont., $49,834.70; Messrs.

Charles Billy, and W. A. Hall, Pembroke, $48,259.10; Kenneth McLaggan, St. Marys, N.B., John T. McBean, Nashwaak Bridge, E. A. Bell, Fredericton, N.B., $47,525.90; John W. McManus, Co., Ltd., Memramcook, N.B., $46,091; Messrs. Soper and McDougall, Ottawa, $45,866.60.

2. Answered by No. 1.

3. Soper and McDougall, Ottawa, for $45,866.60, being the lowest.

DISTRIBUTION OF OFFICIAL PUBLICATIONS TO MEMBERS.

MOTION.

Hon. Mr. DANIEL moved:

That in the opinion of the Senate it is advisable that a different method of distributing official publications to the members be adopted.

He said: The present method of distributing official publications is such as to cause a great deal of embarrassment to the members themselves. They have to receive so many different publications, and such a variety of single copies of them, that they cannot possibly preserve them and they must be carried away as junk. I quite recognize that there are some official publications which each member wishes to have, and which indeed he could hardly do without. We have an instance of that. The last one I noticed was a white book sent around to all the members containing the official documents with regard to the diplomatic actions during the time preceding the war by the French Government, and there is a number of documents of that kind which of course we all wish to receive, but my object in bringing this matter to the attention of the members of this House is that, in addition to these, there are a great many publications to which hon. gentlemen cannot give proper attention, such as the ordinary blue-book, the departmental report, of which we get two or three copies. In addition to all this, we have the sessional papers supplied us in bound form, which amounts to some 30 or 40 volumes every year. It is quite impossible to keep housing those year after year, and it would take a large museum for every member, to store these official documents in. They are well bound and too valuable to be thrown away, but there might be some other method arranged whereby hon. gentlemen could have access to any of those documents that they may require, and not be over-burdened by an excess of publications for which they cannot possibly find room. My object is not to give to the House any idea which I may have as to how this difficulty might be remedied, but rather, if the motion passes, that the subject should be presented to the Printing Committee, so that they may take the matter into their consideration and perhaps suggest some remedy. It has already been proposed by the hon. gentleman from De Lorimier, that a better method would be to send a catalogue of all the publications issued by the Government annually and each member could indicate each and all the publications he desired to have. I quite approve of that method. I think it is a good one, although I am not proposing it now. If this resolution passes, I shall move that the matter be referred to the Printing Committee.

Hon. Mr. DAVIS—The hon. gentleman from St. John deserves the thanks, not only of this House but of this country, for bringing this matter before the House. There has been a great waste of public money in the publishing of blue-books. I receive hundreds and hundreds of them; but nobody wants them. If we send them out to the people, they do not read them. Judging by the quantity I get myself, there must be tons and tons of blue-books published every year which nobody thinks of reading. Then, again, after the first distribution of blue-books, the same documents come in bound form, all of which must have cost this country a great deal of money. I have been about twenty years in Parliament, between this House and the other, and I do not think I ever looked inside of one of those yellow bound books yet. Most of them are only good for lighting fires. The only blue-books I look into are the Public Accounts, the Trade and Commerce reports and the Auditor General's Report; but after I have received the first issue of the blue-books I do not want the bound copy. One time I had an accumulation of them and tried to give them to farmers, but they would not take them. I then tried libraries, but they would not receive them, and the only use I could make of them was for lighting the furnace. If the matter were brought to the attention of the powers that be there would be a great saving in the public service from the discontinuance of the printing of those books.

Hon. Mr. CASGRAIN—Those books have to be printed anyway, and the extra expense of the larger issues is only the weight of the paper. Some may think that the carriage of these books is very expensive, but they are carried by the Post Office Department, which has a contract with the railway companies, paying only so much a

mile, and they are practically carried for nothing.

Hon. Mr. DAVIS—What about the binding?

Hon. Mr. CASGRAIN—No it is not the binding at all. Ever since the Hon. Mr. Fielding introduced the system, all railways which receive subsidies of $3,200 a mile, or $6,400 a mile if they earn the double subsidy, are obliged to carry and do all the business for the Government at a rate that will equal the interest on the subsidy, which would be much more than the extra expense to the Government of sending out the books. I quite agree that many of those books are useless and are rather an inconvenience in one's office, and many of them have to be thrown away, because nobody will take them. Of course, no one would be entitled to get a copy under the proposed plan unless he made application before the books were printed, when it might be rather difficult to know whether one wanted the book or not. This question is not new. It has been up in this House and in the other House very often, but nobody has been able to devise any plan to meet the difficulty since the inception of Confederation. The idea of having a catalogue so that members would not be obliged to receive books, and also limiting the supply to one copy instead of sending two or three copies, is very good; but those members of the House who have been newspaper men and interested in the printing business will know that after a book has been printed, the added expense of a larger issue is only the weight of the extra paper used—so much a pound.

Hon. Mr. DAVIS—That must cost considerable, because an immense amount of paper is consumed. Then what about the binding?

Hon. Mr. CASGRAIN—The binding of those sessional papers is a very expensive part of the work, and if it were the wish of this House to have it dispensed with, that expense would be saved. Like the hon. member from Alberta, I have never looked at those sessional papers in my 16 or 17 sessions in Parliament, and if the binding could be dispensed with I think we would save a lot of money. So far as I can see those books are not of much use.

Hon. Mr. POWER—There is just one point which the hon. member has left out of sight. It is not merely, as he represents it, the additional cost of printing a certain number of copies and of carrying them in the trains, but there is the fact that a great many of those blue-books are duplicates, to all intents and purposes, of other blue-books which are issued in the same year. For instance, the Department of Trade and Commerce is practically duplicating the work of the Customs and Inland Revenue Departments, and not only is there a very considerable expense involved in printing those documents—but every month each member receives two copies of a good sized volume of the unrevised Table of Exports and Imports during the previous month—I think that it is quite unnecessary, and that a summary such as is given in the Gazette, of the Banking Returns, would satisfy all reasonable people. But there is the other fact, that the Department of Public Printing is occupied in preparing those unnecessary reports while very necessary papers, such as our statutes, are delayed for months. The laws that we pass here govern the whole country from the date of prorogation, yet as a rule it is impossible to get a copy of those statutes for about four months after prorogation. I presume that the reason which would be given is that the wheels of the Printing Bureau are blocked by what I look upon as comparatively useless returns. It is true that something has been said at different times about this question, but no honest businesslike effort has ever been made, that I know of, to get the question settled on a sensible and businesslike basis.

Hon. Mr. DANIEL—With the consent of the House, seconded by the Hon. Mr. Ross, I should like to move that this resolution be referred to the Committee on Printing who are members of this Chamber to make a report which, if adopted, could be taken up with the joint committee of both Houses on printing. I am sure if this resolution is carried it will give an opportunity for those senators who are members of the Joint Printing Committee, to hear any member of this Chamber who wishes to appear before them and present his views of what might and should be done, and they may be able to report a scheme which, if the Senate approves of it, can be referred through our members of the Joint Committee to the joint committee of both Houses. In that way we should get some relief, and a change which will be beneficial.

The motion was agreed to.

ORDERS IN COUNCIL UNDER DOMINION LANDS ACT.

MOTION.

Hon. Mr. LOUGHEED moved the following resolution:

Resolved, that the following Orders in Council made by His Royal Highness the Governor General in Council under the provisions of chapter 20, 7-8 Edward VII, "The Dominion Lands Act" on the dates hereinafter mentioned, that is to say:

1. Order in Council P.C. No. 3202, dated 20th December, 1913, amending the regulations governing the granting of yearly licenses and permits to cut timber on Dominion lands so as to provide for the withdrawal from a timber berth land required for water-power purposes.

2. Order in Council P.C. No. 154, dated 19th January, 1914, rescinding regulations governing the disposal of petroleum and natural gas rights and substituting other regulations therefor.

3. Order in Council P.C. No. 296, dated 16th February, 1914, rescinding the grazing regulations established by Order in Council of the 27th July, 1905, and substituting other regulations in lieu thereof.

4. Order in Council P.C. No. 412, dated 16th February, 1914, rescinding clauses Nos. 14, 20, 41 and 42 of the regulations governing the granting of yearly licenses and permits to cut timber on Dominion lands, and substituting other clauses in lieu thereof.

5. Order in Council P.C. No. 712, dated 12th March, 1914, authorizing that all land, the property of the Crown, containing radium in sufficient quantities for commercial extraction be, for the present, withdrawn from disposal.

6. Order in Council P.C. No. 762, dated 20th March, 1914, establishing regulations governing the sale of land for irrigation purposes.

7. Order in Council P.C. No. 949, dated 7th March, 1914, establishing regulations governing the issue of leases of school lands for petroleum and natural gas rights established by Order in Council of 14th May, 1913, and substituting other regulations therefor.

Hon. Mr. CASGRAIN—Would my hon. friend explain what this is?

Hon. Mr. LOUGHEED—It is an entirely formal matter. The Dominion Lands Act provides that we shall lay upon the table at each session of Parliament certain Orders in Council, the orders being those mentioned in the motion.

Hon. Mr. DAVIS—Where do we get the information contained in those Orders in Council as to what has been done with reference to changing the regulations?

Hon. Mr. LOUGHEED—They are on the table.

Hon. Mr. DAVIS—Giving the old resolution and the new?

Hon. Mr. LOUGHEED—The Orders in Council are on the table, yes.

Hon. Mr. BOSTOCK—I should like to ask my hon. friend in regard to Order in Council 296. In reading it over I notice that the regulations in that Order in Council are not made to apply to the railway belt in British Columbia; they are made to apply to the Peace River Tract in British Columbia, but not to the railway belt. Can my hon. friend give me any information as to why that reservation was made?

Hon. Mr. LOUGHEED—No, I cannot give my hon. friend any information on that subject. If my hon. friend desires information I shall make inquiry and get it first hand if he likes.

Hon. Mr. BOSTOCK—The regulations made in the Order in Council in regard to grazing are very valuable and would be of great benefit in the railway belt. Is there any reason why they should not be extended to the railway belt?

Hon. Mr. LOUGHEED—If my hon. friend will give me a note as to his views on the subject I shall get the information directly dealing with that subject.

Hon. Mr. BOSTOCK—Will the motion stand until that information is received?

Hon. Mr. LOUGHEED—No, because the Order in Council has been passed, but I shall get the information for my hon. friend.

Hon. Mr. CASGRAIN—I suppose this is all right:

8. Order in Council P.C. No. 1094, dated 24th April, 1914, providing for the issue of leases for coal mining locations within the limits of the Monte Hills Forest Reserve, when one of the boundaries of a tract has been surveyed the survey may be approved by the Surveyor General, and the lands considered surveyed lands within the meaning of the regulations.

Hon. Mr. LOUGHEED—I should say so, from the way my hon. friend has read it.

Hon. Mr. CASGRAIN—It appears to me that before that, for all those locations, surveyors had to be called in, and they were required to put pickets at the four corners of a claim. Here they are doing away with even that little precaution. According to that regulation because one claim has been surveyed somewhere near there, the tract will be considered surveyed when it is not surveyed.

The motion was agreed to.

ORDERS IN COUNCIL UNDER THE DOMINION FOREST RESERVES ACT.

MOTION.

Hon. Mr. LOUGHEED moved the following resolution:

Resolved, that the following Orders in Council made by His Royal Highness the Governor General in Council, in accordance with the provisions of chapter 10, 1-2 George V, "The Dominion Forest Reserves and Parks Act," that is to say:—

1. Order in Council P.C. No. 948, dated 7th April, 1914, approving and confirming form of License of Occupation covering the surface rights for the purpose of Coal Mining operations within the Dominion Parks.

2. Order in Council P.C. No. 1097, dated 25th April, 1914, establishing regulations for the removal of garbage in townsites within the Dominion Parks.

3. Order in Council P.C. No. 1331, dated 21st May, 1914, establishing regulations governing Grazing Privileges within the Dominion Parks.

4. Order in Council P.C. No. 1521, dated 15th June, 1914, establishing regulations governing electrical installations within Dominion Parks.

5. Order in Council P.C. No. 1635, dated 20th June, 1914, rescinding the regulations for the management and control of the Dominion Government Waterworks System in Dominion Parks, and establishing other regulations in lieu thereof, and to declare such regulations in effect on the 1st of April, 1914.

6. Order in Council P.C. No. 1165, dated 24th June, 1914, rescinding portion of the Order in Council of the 8th June, 1911, setting apart certain tracts of land as Dominion Parks, and substituting other lands to be known as Jaspar Park and Waterton Lake Park.

Copies of each of which Order in Council were laid before this House on the 12th day of March, 1915, for the approval of this House under the provisions of section 19 of "The Dominion Forest Reserves and Parks Act," are now so approved.

The motion was agreed to.

DOMINION LANDS IN RAILWAY BELT, B.C.

MOTION POSTPONED.

Hon. Mr. LOUGHEED moved:

Copies of each of which Order in Council were cil made by His Royal Highness the Governor General in Council, in accordance with the regulations for the survey, administration, disposal and management of Dominion lands within the Railway Belt in the province of British Columbia, approved by Order in Council of the 17th September, 1889, that is to say:—

1. Order in Council P.C. No. 720, dated 14th March, 1914, further amending the regulations by adding thereto sub-section C to section 22 of the said regulations defining the term "Residence in the Vicinity" of his homestead by an entrant.

2. Order in Council P.C. No. 2597, dated 17th October, 1914, making the provisions of section 22 of the Dominion Lands Act applicable to Dominion lands within the Railway Belt in the province of British Columbia, whereby the time during which an entrant is absent from his homestead while a member of a military force enrolled under the authority of the Minister of Militia and engaged in the defence of the British Empire may be counted as residence upon his homestead.

Copies of each of which Orders in Council were laid before this House on the 12th day of March, 1915, for the approval of this House under the provisions of sub-section D of section 38 of the regulations for the survey, administration, disposal and management of Dominion lands within the forty-mile Railway Belt in the province of British Columbia, and the said Orders in Council are now so approved.

Hon. Mr. DAVIS—I was going to ask my hon. friend if he could give me any idea about what the amendment was in No. 1. What change was made in that.

Hon. Mr. LOUGHEED—I cannot tell that to my hon. friend, but he will find it on the table; I am not familiar myself with the contents.

Hon. Mr. BOSTOCK—I wanted to place before my hon. friend a case that came up in British Columbia in regard to this question of the homestead, the time being extended while the man was on military service. A case was brought to my notice where a man who had a homestead enlisted, and previously to his joining the regiment he sold everything that he had on the place, even the windows out of the shack, and to all intents and purposes he behaved as if he did not propose to come back to the homestead again after his time was up, or if he came back from the war he did not want to return to his homestead. Some other men came to me and wanted to know whether they could not get the entry on that homestead, but of course the official of the department said no, it was not possible under the regulation that had been made, the homestead entry would stand until the man returned from the war. I was going to ask my hon. friend, if proper evidence should be given that there was no intention on the part of this homesteader to return, whether anything could be done to allow anybody else to enter the homestead.

Hon. Mr. LOUGHEED—I could not tell; I presume the difficulty would be to get evidence of the intention. I am very doubtful about satisfactory evidence being given, except the evidence of the homesteader himself. Of course if we recognize the evidence of parties other than the homesteader, it might result in a great number of frauds being perpetrated. I have no doubt that if the homesteader indicated his intention it would be treated as an abandonment, so that cancellation might follow.

Hon. Mr. BOSTOCK—It seemed to me that in a case like that some notice might be sent to the man to ask him whether he intended to exercise the right under the Order in Council or not, and if he said not, the homestead might be thrown open to entry.

Hon. Mr. LOUGHEED—Any party desiring to secure the location could communicate with him and secure information of that character.

Hon. Mr. BOSTOCK—They might not know where he was.

Hon. Mr. LOUGHEED—They would know as well as the Government would know.

Hon. Mr. BOSTOCK—No, because in this particular case, the man enlisted, went to Vancouver, and joined a regiment or something. I presume the Militia Department would know where to find him, but the man trying to get the homestead would not be in a position to obtain the information.

Hon. Mr. CASGRAIN—Hon. gentlemen will notice that after all these Orders in Council, Nos. 2, 3, 4, etc., are recited, the resolution says "And the same are now so approved." What would be the effect supposing we did not approve of them? Would they be null and void?

Hon. Mr. LOUGHEED—I should not say so. I should say they would be operative up to the present time.

Hon. Mr. CASGRAIN—I only seek information. I suppose these questions have been up before, but my attention has been drawn to this and people say, "There is no use talking about it because the Orders in Council have been passed, and the matter is concluded," but others say, "No, they are being approved now." They must be brought before us for a purpose, and we are here approving of them without knowing anything about them.

Hon. Mr. LOUGHEED—I presume they are operative until something else is done. If they are not approved, and if hon. gentlemen will point out any good reasons why they should not be approved, I have no doubt they would be amended accordingly.

Hon. Mr. DAVIS—I take it for granted that the Government, in passing these orders, have authority by some Act of Parliament to pass them. I suppose the Dominion Lands Act gives them authority to do certain things by Order in Council. I do not see why they want them approved. If it is necessary that they should be approved, then the Government must have been exceeding their power. If the Act gives them power to pass an order to amend regulations in reference to these things, I do not see why we should intervene, unless they are doing something for which the law does not provide.

Hon. Mr. LOUGHEED—The statute provides that the Order in Council shall be laid on the table of both Houses of Parliament at the session after it is passed, and it is simply in pursuance of the provisions of the Act of Parliament that these are laid on the table.

Hon. Mr. DAVIS—But it would not make any difference whether we approved of them or not. They are still operative.

Hon. Mr. LOUGHEED—If they are not approved, and good objection is shown, the opportunity will be given to amend them accordingly.

Hon. Mr. KERR—There is a good deal to be said in favour of the argument that before we undertake to ratify a thing we should know what we are approving. No one knows what action has been taken, so that it really is asking us to go it blind, so to speak, and adopt whatever has been done. There may be a lot of that done which might be custom. I do not say there is. I know nothing about it. No one can say, because we know nothing about it. The hon. Minister himself does not seem to be able to explain what has been done.

Hon. Mr. LOUGHEED—They embrace a lot of information.

Hon. Mr. KERR—Is there any objection to its standing over until to-morrow?

Hon. Mr. LOUGHEED—No, it can stand over until my hon. friend satisfies himself. Say Thursday next.

The motion was allowed to stand until Thursday next.

DELAYED RETURNS.

Hon. Mr. BOYER—May I inquire of my hon. friend if he has any answers about the correspondence I asked for.

Hon. Mr. LOUGHEED—I regret to say I have not. I must confess I have forgotten about it.

Hon. Mr. BOYER—I thought the hon. gentleman would forget it, because it is a pretty fishy question.

Hon. Mr. LOUGHEED—I understand it is a question my hon. friend interests himself in.

ONTARIO BI-LINGUAL SCHOOL QUESTION.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion moved by the Hon. Mr. David, seconded by the Hon. Mr. McHugh:—

This House, without derogating from the principle of Provincial autonomy, deems it proper and within its powers and jurisdiction and in

pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the Province of Ontario in connection with the bilingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation, and with the spirit of out Constitution.

Hon. Mr. EDWARDS—I approach the discussion of this question with considerable diffidence by reason of the fact that it is considered by many a very controversial question, and should not be discussed in this chamber with a view of expressing an opinion upon it, as has been suggested by the mover of the resolution. It is a question, after all, which affects Canada in many ways, and I must congratulate the hon. mover of this resolution and the hon. gentleman who seconded it, for the very moderate way in which they presented their views. In all public questions which arise in this country, deliberative bodies above all others should deal with them in a moderate and judicial way, and if I should depart from that course in the short speech I purpose making, I simply will regret it, because it will be in total disaccord with the views which I entertain. It may be termed a somewhat delicate question, and it is a delicate question, because it interests very materially and very especially a large portion of the people of the Dominion of Canada. By no means should it be made a party question. If it were a party question, then in my humble opinion it should not be discussed in this Chamber, because I believe that, when gentlemen come to this Chamber, they should act as judges dealing with all questions that arise in a judicial spirit, and not as partisans, and I will say here frankly that if I believed for one moment that this motion was introduced for party purposes, I certainly should decline to discuss it. Under no consideration would I, while having a seat in the Senate, join in the discussion of any question whatsoever from a party standpoint. Upon this question very erronous ideas indeed are expressed in the country, because the world outside does not know how this Chamber particularly deals with questions. Many people in the country believe that gentlemen here discuss every question from a partisan standpoint. I deny absolutely any such position, not only for myself, but for the whole body of this Chamber. Our journals unfortunately, however, deal with subjects of this kind in a partisan spirit, and if I may be permitted to read a short editorial from one of the Toronto newspapers, it will be seen that outside of this Chamber, at least, most of these questions are discussed in the manner which I have described. The following is an editorial which appeared in the Toronto Evening Telegram:

Ontario Assailed by the Output of Laurier-Bossed Slander Mills.

Ontario is maligned by the activity of those two Laurier-bossed slander mills, the Legislature of Quebec and the Senate of Canada.

Laurier has power to call off his puppets in the Quebec Legislature and the Canadian Senate. Ontario is sending her English-speaking sons by birth or adoption to fight and die for the rights of Roman Catholic Belgium and the national existence of Quebec's motherland—France. This province exerts all her strength to defend Roman Catholic nations in the right against the land of Luther in the wrong. Yet to-day Ontario is being slandered and her people maligned by Laurier's agents in the Legislature at Quebec and Laurier's puppets in the Senate at Ottawa.

Laurierism has for the allies of her warfare upon Ontario such organs as the apostate Globe and the recreant Star. Laurierism is helped by the apostate and recreant Rowell opposition. That opposition is quite content to have Ontario traduced by the Quebec Legislature and slandered by the Canadian Senate in the process of winning French-Canadian votes for Laurier. When Sir Wilfrid Laurier goes out of Ontario with ten federal seats or less the calamities of Laurierism will not be due to Ontario's affection for Sir Robert Borden or Ontario's admiration for most of Sir Robert Borden's cabinet ministers from this province. Ontario has scores to settle with Sir Robert Borden and Sir Robert Borden's cabinet. Ontario's accounting with the Borden Government can wait. Ontario's day of reckoning with the truce-breaking Laurierism that strikes at this province through its agents in the Quebec Legislature and its anti-dreadnought puppets in the Senate cannot be postponed beyond the opening of the polls at the next general election.

In reading this editorial I want it distinctly understood that I do not desire to stir up any passion or feeling of any kind. I only want to show what an incorrect idea exists as to this Senate; I am not here to defend Sir Wilfrid Laurier or any particular party; but I can vouch for it, as a matter of fact, that Sir Wilfrid Laurier knew nothing about the resolution moved by my hon. friend, heard nothing about it, and never was consulted about it. I can vouch also for the fact that he had no connection with Premier Gouin of Quebec and knew nothing of his speech until he saw the reports of it in the newspapers. I desire further to say that the proprietor of the paper from which I have just read is one of the most kind-hearted, considerate and charitable men in

Canada, and I cannot believe for one moment that he is responsible for that article, except in so far as he is responsible for what appears in his paper. I do not and cannot believe that he would sanction it. A man who devotes his time and very large sums of money annually to the care of children in Canada is not one who would be guilty of writing such an article as that, I further use the article to deplore the fact that such correspondence should appear in any newspaper with regard to the gentlemen who occupy seats in this House because I think it is a slander on every member of the Senate. Later on I shall read a speech which was delivered by the Hon. Sir Lomer Gouin in Quebec, which I think will be found to be perfectly inoffensive, and one with which no person in this country can find any fault whatever. It should be the object of every man in Canada, be he high or low, great or small, to do everything he can to bring about a good understanding, good-will and unanimity in every possible respect among the various classes of people who compose the population of this great and growing Dominion, and in my opinion those who act differently are enemies of this country. Every true Canadian is one who believes that we should have no east or west, that we should have no north or south. However, the far north will never do us much harm, but our east and west is important, and everyone who desires the upbuilding of Canada will try to harmonize the different interests throughout the Dominion. The same with language. The man who slanders our French population slanders a nation which has had much to do with the upbuilding of Canada, a nationality who have among them many of our very best citizens. Unfortunately there are Englishmen who scandalize their French fellow-citizens, and unfortunately among French Canadians there are those who do likewise towards those of English origin. That is most unfortunate. The aim of every true thinker in Canada should be to bring about harmony. I have no doubt there are gentlemen in this Chamber who will claim that this matter, being a controversial and delicate question, should not be introduced in this Chamber. If it were introduced as a subject to be dealt with in a legislative manner, we might very properly be told that it is a subject which is properly relegated to the various provinces. But, while that is true, on every social and every moral question, having in view the wellbeing of this country, it cannot be contended that we should be silent. This resolution is mild in form, harmless and kindly put, and I cannot see that there is any harm whatever in our expressing the hope that this vexed question, which is very unfortunately disturbing a large portion of our population, should be amicably disposed of. It would be entirely out of place for me to deal with the legal aspect of this question, and I shall not do so. Of course I am familiar with the Act of Union and with the British North America Act, and with what is referred to there as far as these matters are concerned. It is absolutely plain—I think any layman can assume that it is plain—that so far as the Roman Catholic religion is concerned, it is preserved to the Roman Catholic population, not only by the Treaty of Paris, but the articles of Capitulation of Montreal and Quebec. The question of language is perhaps not so clearly dealt with, but those who have studied the question believe that the French langauge also is preserved by these provisions. That matter I leave entirely to the legal gentlemen to dispose of, not only here, but in other places. It would be beyond me to attempt to deal with it, but as a matter of fact I am quite familiar with the French Canadian, his habits, aims and ambitions, and all about him. I was brought up in a portion of Canada inhabited by French Canadians, where English people were in the minority. All my life I have had large dealings with French Canadians, and I can say that no man familiar with their habits and manners, brought up amongst them as I was, would feel that there was any ground for discussing the question in the manner in which it was discussed by the Toronto paper. It would seem to me that a large portion of our people, not familiar with the French langauge or the French people, is desirous of obliterating the French language in Canada. There are those who believe there will be no such thing as an actual fusion of the races until the French language is obliterated. It seems to me that those who hold that opinion have a pretty big task in hand, because Quebec is a large and populous province, and it will be some time before they abandon their language. My opinion is that the barrier to the fusion which many people desire is not one in which the language is concerned so much as the religion. Intermarriage would be the only means by which the actual fusion of races would be brought about, and the moment a French Canadian becomes a Protestant, intermarriage is more frequent. Intermarriages are not frequent

among French Canadians and English speaking people in Canada, simply because of the barrier of religion, so that those gentlemen who desire to bring about a fusion and pretend it can be done by obliterating the language should really seek to convert them all to Protestantism if they wish to accomplish their purpose. That would be a great task—an impossible task. I do not think legislation can be enacted to say that you shall be a Protestant and not a Roman Catholic. It seems to me the whole matter is an absurdity. In the debate which took place in the Commons in 1890, when I was present, the whole contention of those who introduced the resolution at that time, was that this country could not be British until the French language disappeared. At that time I thought as I do now—do not worry about the French language. If you want to accomplish the object you desire, you must legislate to make them all Protestants, and I do not think any one will undertake that task. Dealing for a moment with the subject of the French language, I may be pardoned, perhaps, if I make a few comments. In my humble opinion, it would be desirable that every Canadian in Canada should be educated not only in English, but also in French.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. EDWARDS—That is my opinion, and my hon. friend who has just said "hear, hear," agrees thoroughly in that, because he sent his grandchildren down to Quebec to be educated.

Hon. Sir MACKENZIE BOWELL—And my own too.

Hon. Mr. EDWARDS—He is a broader minded man than some people think, and if he discusses this question, I think he will approach it without animus and will display the largeheartedness which characterizes him. In travelling abroad, how convenient it is to understand the French language. A traveller can go to almost any part of the world if he can speak French. Although I speak French—I am very sorry to say imperfectly—I was thoroughly at home when I travelled through France and Italy. My wife said I would be laughed at, but not one Roman or Frenchman laughed at me. They said I spoke very good French indeed. My view is that not only should there be no embargo on the use of the French languge in our schools, but that it should be encouraged in every way. I want to make one contrast—and I do this in all kindness—between Ontario and Quebec in that respect. In a way the separate school question is not involved in this discussion, yet in the province of Quebec, which is the home of separate schools, established for a Protestant minority and not for the French, there is no question as to what language they shall teach. They teach what they please. They may teach English entirely if they wish. Some gentlemen may say, Yes, that is true, but that is one province, and this is another province, and we are all British subjects and we shall have but one language in this country. Now I do not think that that is British. It does not appeal to me that that is the system of Great Britain, because in Great Britain the greatest liberty in that respect is given. There is no question at all about that. To give you a few illustrations. In Switzerland, French, Italian and German are the languages; in Belgium the Flemish and French are the languages. It does not follow as a consequence there is not a united Belgium, and when you come to Great Britain, the mother of liberty in every respect, what do you find? There is the Gaelic, the Erse, the Welsh, in the Isle of Man, the Manx, and in the Channel Islands the French, and there is no restriction as to the teaching and use of these languages, and it is not pretended for one moment, that Britain is not a united country. Of course it is, and those who think that in order that this country should become perfectly harmonious in every respect the uniform language must be English, cannot call themselves real, true British subjects. They do not believe in British institutions; Great Britain is the great colonizer she is, because she has given to the various colonies she possesses the greatest freedom in all respects, and it is because after the capitulation of Quebec, followed by the Treaty of Paris and the treatment which Great Britain accorded to the French population of Quebec, that ever since that time the French-Canadian subjects in Quebec have been the true British subjects that they are. There are some gentlemen who say, if you are going to encourage and promote the teaching of the French language in Canada, why do you not also claim the same rights for the German and other nationalities which compose this country. Well, if there are any groups of them such as there are in Quebec, and parts of Ontario, I certainly would have no objection whatever. But is there a difference—Yes, or No?

Yes, I think there is a vast difference. As is well known by every one, the Province of Quebec was first settled by Frenchmen, who of course became French Canadians. After the capitulation how many English were there in Canada? There were just the Scotchmen that were disbanded from a few regiments and settled on the St. Lawrence. What became of them? They all became converted to the Roman Catholic religion. They inter-married with the French and became Frenchmen with Scotch names and you can find the Macs of all kinds down on the lower St. Lawrence, and the Ross' and the Warrens, and in fact all Scotch names are found there. That assimilation arose when those people settled in among the French Canadian population, took on their habits, their language and their religion, and simply became French Canadians. Some might say in answer to that, that the same thing will be applicable to French Canadians because there is an English majority in Canada. I do not think that is possible. The province of Quebec is a large and populous province and it is going to become a much more populous province. The French language predominates, and I think will always predominate there; and I do not think it possible that it can be Anglicized. I am not going to say that I think it is desirable, because I think perfect unity, perfect good feeling and a perfect understanding between the two great races which compose the nationalities of this country, will make it a much greater Dominion than if they were all one. An Englishman who lives in a community that is largely composed of Frenchmen is a man of broader views, of more liberal ideas than a man who is housed by himself and knows nothing of the outside.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—The British language is truly the language of commerce, but the French language is the language of diplomacy and it is just as necessary to know the one as to know the other. In Great Britain or Europe a man is not considered equipped unless he is familiar with both languages, and the same should apply to Canadians. I want to give you a little contrast, if I may, as applied to this honourable Chamber and the Commons. Let an hon. gentleman make a French speech here, and how many hon. gentlemen will understand him, apart from the French Canadian members of the Chamber. Let the same thing occur in the Commons and how many will understand him? Very few; I think you could count them on less than the fingers of one hand. But go down to the Legislature of Quebec and contrast the difference; every single man will understand an English speech that is made there, and there are few if any men there who will not speak as fluently in English as in French; showing clearly and conclusively that the French Canadians do not resist in any respect the acquisition of the English language.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—The French people are most desirous of learning the English language, and what they do say is, "We desire to learn the English language but we desire to preserve for ourselves the language of our forefathers." And can you find fault with that? I for one do not. Now I will give you another illustration that may surprise hon. gentlemen here. I have been 45 years in the lumber business on my own account, manufacturing lumber on a somewhat large scale. The bulk of my Canadian business has always been with the City of Montreal. I said a while ago that the English language was the language of commerce, and I am going to prove it now absolutely. I have yet to receive the first letter written in the French language from one of my many customers in the city of Montreal.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—And in all fairness to the gentlemen of that race I wish here to pay them a compliment. Nine-tenths of the business which I have done in Montreal was with French-Canadians, but I never attended a meeting of creditors in the City of Montreal in my life, and never had any difficulty whatever.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—Those gentlemen not only do their correspondence in English but they keep their books in English. That spirit of resistance to the English language does not pertain in any part of the Province of Quebec. If you go to Montreal or Quebec tomorrow and enter any store you like, or mingle with any French-Canadian you like, you will find that almost universally they speak freely and fluently the English language. There is no resistance to English, nothing of the kind. They cultivate, and desire to cultivate the English language. It may be said, "Oh yes, that is true but those people, who have moved into the Province of

Ontario should be different and should learn largely the English language, and we should give them very little French now. Well, ordinary some years ago more French was taught than is now taught. In my humble opinion rule 17 makes the French language practically impossible of being taught in Ontario; that is my belief.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—I do not believe that the gentlemen who framed that rule had that intention; I cannot believe it; it is such an injustice that I will not be able to believe, and I do not believe it, and I do think in all justice that that inequality should be removed. It is quite true that every child should be taught English, and French also, and those who desire it, as the French-Canadians do, should have greater freedom, and a larger measure of it, than perhaps our English people would be willing to think of. But in this country the English language should be taught, I say, as well as the French language. Now if I may be permitted I should like to read what I consider the very harmless speech lately made by the hon. Sir Lomer Gouin at Que. The idea that it was dictating in any respect, or pretending to dictate to the Province of Ontario is, in my humble opinion, and absurdity. He simply gave an expression of goodwill and made a request, nothing more and nothing less than that. It is as follows:—

> At the very time when in Europe, British and French are with each other in fighting for the triumph of justice, and while, on the field of battle British and French are generously shedding their blood to put an end to oppression in Europe, and to give an assurance of peace to all future generations, why is it that their brothers in Ontario are divided as to the advisability of teaching the language of the discoverers of this country to the children of a minority—a language which is also that of a people for which the Empire is at this moment risking the fate of its fleets, of its armies, of its colonies and of its national life?
>
> Far be it from me to think of intervening between the government and the minority of the neighbouring province, and God keep me from saying a word which might widen the division which we deplore, but I cannot forget that it was the English-Canadians of Ontario, and the French-Canadians of Quebec who together built up Confederation, the powerful Dominion of Canada.
>
> Who will claim that if was not in the minds of the framers of our constitution to give equal rights in matters of language, of religion, of property and equal personal rights to both races as avowed by Sir John A. Macdonald in 1890, and who will claim that the British North America Act was not inspired by similar sentiments?
>
> Thank God, we have always lived here in peace and harmony without either oppression or oppressed, and I know the spirit of our people well enough to be able to declare there never will be. But if it should ever occur that the minority have occasion to complain of its treatment by the majority, would it astonish anybody if Ontario should raise its voice to ask for justice for those of its own race and faith?
>
> Animated by this sentiment I desire before taking my seat to make an appeal in the name of the entire population of Quebec, of English-Canadians, Scotch and Irish, as well as of French-Canadians, to the government and to the majority of the province of Ontario. In the name of the justice and of the generosity of which Britain has given so many proofs, and which cannot fail to animate every truly British citizen, as well as in the name of the struggles which our forefathers sustained in opening to civilization the rich domains which are our common patrimony, I ask that justice be given to the French minority of Ontario, and that if necessary they be not only justly, but even generously, dealt with.
>
> In the name of the expression it has given to human thought, I ask that the French language be taught to the school children of Ontario who wish to learn and to speak it. Let me in addition send to the minority of Ontario a message of active sympathy, for we owe it to them.

Now, that speech is complained of as being an interference with the affairs of Ontario, I claim that it is not; that it is nothing more than a message of good will. I say again that every true Canadian should cultivate in every respect good will between the various portions of the population of this country. Through discord and animosity nothing but harm can be done; by good will and united action let those who desire speak whatever language they please, and certainly let our large body of French-Canadians in this country educate their children as they please. I think that is what will best promote the very best interests and advancement of this country. To-day in Great Britain what have we got? Under the banner of Great Britain we have the Indians of India, the population of South Africa, of Australia, of New Zealand and Canada, all fighting under the one banner; fighting for what? For liberty and justice. In our smaller way in Canada let us who compose the majority give fair play to the minority in every reasonable way. Now, to show that there is liberality of opinion among our best thinkers I want to read one more letter to you if I be permitted. I may say that this letter is penned by a son of a north of Ireland Protestant, who is himself a Protestant. He is a large-minded man of broad views, and a very able thinker. As you will see by his letter he claims that these questions are not understood in Canada, that the vast majority of

the people are not aware of the causes of friction or the contention of the French-Canadian in so far as their rights are concerned and do not understand this question, and he thinks some means should be inaugurated whereby the questions should be made clear and perfectly understood. What he suggests may or may not be practicable, but I read the letter simply to show the view, which I am sure is the view of a vast number of large, broad-minded thinkers such as he is. The letter reads as follows:—

March 11, 1915.

Dear Senator Edwards,

I see by the morning paper that Senator David brought forward in the Senate yesterday, what I suppose might be termed Ontario's bi-lingual question, and I noticed that you are to continue the debate.

May I be permitted to lay before you some views I entertain concerning this, as well as other sectional differences. I fear that many of us in this country do not fully appreciate the fact that races of people, like individuals, have their peculiarities and that it is easier to harmonize the differences of the individuals of a race than those of different races.

Therefore I hold I am not justified in looking at my fellow man and measuring him according to my own views, especially if he be of a different race. That principle I regard as the true starting point in nationalizing this country with its people principally drawn from two great races. In other words it is necessary to adopt the attitude of the man in the street, in which he gives and takes ground in passing through the crowd—the only practicable way by which the business of the street becomes possible.

Recently Sir Lomer Gouin, Premier of Quebec, made an appeal to this Province of Ontario for consideration on behalf of those speaking the French language within the Province, evidently based on the belief that the French-speaking British subject in Ontario is being unfairly treated. That evidently is the view likewise of Senator David.

Sir Lomer Gouin is the mouthpiece of the Province of Quebec and he would not have spoken if he was not expressing the views of a large number of people in his Province.

We all know that the school question in Canada has been the cause of a great deal of friction and we are all agreed that differences of race and religion are dangerous to the State and interfere with that homogenity so absolutely essential in a young country. When my fellow man takes a certain attitude and says it is a question of conscience with him, I feel I must give grave consideration to his views.

While no public man in Ontario has come out into the open as Sir Lomer Gouin has done, still we know that there is a feeling among a considerable class in Ontario that all is not well in Quebec.

Now what are these questions that are causing friction? The leading ones might be enumerated as for instance in Ontario: Language in schools; Religion in schools; and in Quebec, the marriage question as it affects civil law. Efficiency of schools.

It is questionable indeed if ten per cent of the people of both provinces really understand the true situation in so far as these questions affect the public. Any way they should not be allowed to drift. The sound policy for the country in these questions affecting conscience is that pursued by us all in the street—in not attempting to run down the other fellow. I feel that there is a vast amount of microbes mixed up in these matters and the only medicine for the microbe is to drag it into the sunlight. In other words let us get at the bottom of these questions. How? Suppose the Chief Justices of Ontario and Quebec had the authority to each nominate three fair-minded men drawn from different shades of thought in the two provinces, and have the six men act as a Committee to investigate these questions of differences—these questions that produce friction between sections of our people. We do not want a legal enquiry—we merely want facts as to what the conditions are. Give such a Committee two years to get at the facts. If they don't agree no harm is done. They can in that event at least clearly set out the two sides. I can see the possibility of suggestions emanating from such a group of men that would be a blessing to this country in opening the way towards harmonizing to some extent differences that must naturally retard that cohesion so essential to the welfare of this country. Give the public a clear statement of all the facts and the public will reach reasonably fair conclusions.

Hon. Mr. CASGRAIN—Whom is that letter by?

Hon. Mr. EDWARDS—I got the permission of the gentleman to read the letter, but he asked me not to mention his name. I have no objection to ask him to allow me to give the name. As to his method, I do not know whether his suggestion is a good one or bad one, but he certainly voices my own sentiments. On a question of this kind, no matter how strongly I may feel as to the character of schools we should have in this country, it is my duty to have regard to the opinion of others. It is my duty also to have regard to the prejudices of others; and on this subject which is disturbing the population of this country, I, as a Canadian who have nothing but good will towards all, desire that it should be settled in a fair and equitable manner, and that fair play should be extended the minority that come from the Province of Quebec to inhabit the Province of Ontario. If the reverse takes place what do you have? You have the tendency of having that nationality in the Province of Quebec instead of disseminating through the various parts of the Dominion. I say, and I say it advisedly, that nothing could be better in the interests of Canada than the dissemination of that heroic and grand people among the English inhabitants of the various parts of Canada.

Several Hon. GENTLEMEN: Hear, hear.

Hon. Mr. DANDURAND moved the adjournment of the debate.

The motion was agreed to.

SECOND READINGS.

Bill (43), An Act respecting the Huron and Erie Loan and Savings Co. and to change its name to the Huron and Erie Mortgage Corporation.—Hon. Mr. Kerr.

Bill (58), An Act respecting the Casuality Company of Canada.—Hon. Mr. McHugh.

Bill (G), An Act respecting the patent of the National Wood Distilling Co.—Hon. Mr. Bostock.

FIRST AND SECOND READINGS.

Bill (8), An Act respecting the Edmonton, Dunvegan and B.C. Ry. Co.—Hon. Mr. Talbot.

BILLS INTRODUCED.

Bill (20), An Act respecting the C.N. Ry. Co.—Sir Lyman Melvin Jones.

Bill (49), An Act respecting the Calgary and Fernie Ry. Co.—Hon. Mr. DeVeber.

Bill (50), An Act respecting the Canadian Western Ry. Co.—Hon. Mr. Watson.

Bill (52), An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.—Hon. Mr. Casgrain.

Bill (54), An Act respecting the Toronto Terminals Railway Company.—Hon. Mr. Kerr.

Bill (60). An Act to incorporate the Entwhistle and Alberta Southern Railway Company.—Hon. Mr. Pope.

Bill (61), An Act respecting the Simcoe, Grey and Bruce Railway Company.—Hon. Mr. Taylor.

Bill (62), An Act respecting the Bank of Alberta.—Hon. Mr. Talbot.

Bill (65), An Act respecting the Toronto and Hamilton Railway Company.—Hon. Mr. Taylor.

Bill (K), An Act respecting Patent of John Miller & Son, Ltd.—Hon. Mr. Derbyshire.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Wednesday, March 17, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (L), An Act for the relief of Adam Clarke Anderson.—Hon. Mr. Taylor.

Bill (M), An Act for the relief of Thomas Jefferson Moore.—Hon. Mr. Watson.

DOMINION LANDS IN RAILWAY BELT, BRITISH COLUMBIA.

MOTION.

Hon. Mr. LOUGHEED moved:

Resolved, that the following Orders in Council made by His Royal Highness the Governor General in Council, in accordance with the regulations for the survey, administration, disposal and management of Dominion lands within the Railway Belt in the province of British Columbia, approved by Order in Council of the 17th September, 1889, that is to say:

1. Order in Council P.C. No. 720, dated 14th March, 1914, further amending the regulations by adding thereto subsection C to section 22 of the said regulations defining the term "Residence in the Vicinity" of his homestead by an entrant.

2. Order in Council P.C. No. 2597, dated 17th October, 1914, making the provisions of section 22 of the Dominion Lands Act applicable to Dominion lands within the Railway Belt in the province of British Columbia whereby the time during which an entrant is absent from his homestead while a member of a military force enrolled under the authority of the Minister of Militia and engaged in the defence of the British Empire may be counted as residence upon his homestead.

Copies of each of which Orders in Council were laid before this House on the 12th day of March, 1915, for the approval of this House under the provisions of subsection D of section 38 of the regulations for the survey, administration, disposal and management of Dominion lands within the forty-mile Railway Belt in the province of British Columbia, and the said Orders in Council are now so approved.

Hon. Mr. BOSTOCK—Is the hon. gentleman able to give me an answer to the question I asked yesterday as to the homesteads?

Hon. Mr. LOUGHEED—No, because the question my hon. friend puts is a hypothetical one. He refers to the case of a man who may want to abandon his homestead. If the homesteader will forward a notice of abandonment, or if it is secured from him, or if there is any indication that he does not intend to return to the homestead, then the minister would deal with it on the evidence before him, but my hon. friend will readily see that it is impossible to make provision for a hypothetical case of that kind by an Order in Council. The minister would be glad to deal with the case if the facts were put before him.

Hon. Mr. BOSTOCK—As I understand, the case might be submitted to the minister. The question was put to the agent and he said, no, that under the Order in Council nothing could be done.

Hon. Mr. LOUGHEED—Of course the agents hands would be tied entirely by the Order in Council, but if it came before the minister a wider discretion might be exercised.

ONTARIO BILINGUAL SCHOOL QUESTION.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion by the Honourable Mr. David, seconded by the Honourable Mr. McHugh:

This House, without derogating from the principle of provincial autonomy, deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bi-lingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the fathers of Confederation, and with the spirit of our constitution.

Hon. Mr. DANDURAND—In order that each member of this House may be able to read and analyse the Regulation No. 17, made by the Department of Education of Ontario which govern the English-French public and separate schools I will read the parts of this circular, dated August, 1913, which bear on this discussion.

This circular first declares that the schools where French is taught will be called, for convenience of reference, English-French schools, and after providing for the application of the general regulations prescribed for public schools, it proceeds to apply special rules to the English-French rules, as follows:

Subject, in the case of each school to the direction and approval of the chief inspector, the following modifications shall also be made in the course of study of the public and separate schools:

As hon. gentlemen will see, the whole of the clause that I read is subject to the direction and approval of the Chief Inspector. The circular continues:

(1) Where necessary, in the case of French-speaking pupils, French may be used as a language of instruction and communication; but such use of French shall not be continued beyond form 1, excepting that, on the approval of the chief inspector, it may also be used as the language of instruction and communication in the case of pupils beyond form 1 who are made to speak and understand the English language.

(2) In the case of French-speaking pupils who are unable to speak and understand the English language well enough for the purpose of instruction and communication, the following provision is hereby made:

(a) As soon as the pupil enters the school he shall begin the study and the use of the English language.

(b) As soon as the pupil has acquired sufficient facility in the use of the English language he shall take up in that language the course of study as prescribed for the public and separate schools.

4. In schools where the French has hitherto—

I emphasize the word "hitherto."

4. In schools where French has hitherto been a subject of study the public or the separate school board, as the case may be, may provide, under the following conditions, for instruction in French reading, grammar, and composition in forms I to IV (see also provision for form V in public school regulation 14 (5) in addition to the subjects prescribed for the public and separate schools;

(1) Such instruction in French may be taken only by pupils whose parents or guardians direct that they shall do so, and may notwithstanding Sec. 1, above, be given in the French language. the educationalists whom I have consulted

(2) Such instruction in French shall not interfere with the adequacy of the instruction in English and the provision for such instruction in French in the time table of the school shall be subject to the approval and direction of the chief inspector, and shall not in any day exceed one hour in each class-room, except where the time is increased upon the order of the chief inspector.

I take for granted that this discussion has for its prime object to reach the men of good will, who—luckily for Canada—are the vast majority. The extreme people who feed upon hatred, born of ignorance, and who cherish their prejudices, are more important by the loudness of their denunciations than by their number. I will admit that they exert a larger influence in the community than they are entitled to because their passions lead them to activities which create the false impression that they represent a large constituency. I readily confess that no province has a monopoly of the sectarian nor of the demagogue. What are the conditions which we find today in Ontario and Quebec? They are those created by the British North America Act which recognizes and sanctions the separate or dissentient school system. Denominational schools are in existence in both provinces by virtue of our constitution. They are Protestant or Catholic. In Quebec the Protestant minority is given the full control of its schools. Through the

Protestant Council of Education, created by the Legislature, they determine the curriculum to be followed and they select their own text books. In Ontario the Government remains clothed with full authority over all schools, public and separate. The Department of Education has the sole control in the administration of the schools. Up to August 1913, the regulation which touched upon the teaching of French in the schools read as follows:

Regulation 15.
"In school sections when the French and German language prevail, the trustees may, in addition to the course of the study prescribed for public schools, require instruction to be given in reading, grammar and composition to such pupils as are directed by their parents or guardians to study either of these languages and in all such cases the authorized text books in French or German shall be used."

This enactment was but the confirmation of the use of French in the education of the French-speaking children in Ontario schools prior to Confederation. This regulation was replaced by Regulation 17, dated August 1913, which has for its sole purpose the regulation of the teaching of French in certain schools called English-French schools. It is therein provided that French children may learn their own language besides the English language.

Before proceeding to examine the conditions which, in virtue of this regulation, will govern the teaching of French in Ontario, I want first to find out if we are agreed upon the same purpose. If we are not persuing the same end, if we have not the same object in view, any further discussion is useless. What does the French Canadian father want? He wants his child to learn his mother tongue and the English language as well. What does the Ontario Government want? What is its policy? I take it to be expressed in the terms of its regulations, as follows:

1st English shall be taught to all the children frequenting the public and separate schools.
2nd French may also be taught to the children of such parents who desire it, under certain conditions.

It does not enter into my mind to question the sincerity of the Ontario Government. Since it frames rules for the teaching of English and French, I must conclude that its purpose is to allow adequate means to attain that object. The Government wants, first, all children to learn the English language. I take it for granted that all French parents in Ontario are agreed upon that point.

The controversy does not begin here. Government further says that French may also be taught to the children of parents who desire it.

If Regulation 17 was silent as to the conditions under which this French teaching was to be given it would be clear to any ordinary being that the teaching of French was meant to be effective. A teaching which does not teach is a misnomer. Once I am allowed to learn French, that teaching must be adequate, else it is a sham.

In effect, the Ontario Government's edict is that every child shall learn English and may learn French as well. This is as it should be. The child who speaks two languages is better equipped than if he only spoke one. This order is naturally construed by the French Canadian population in Ontario in much stricter terms and they take it to mean, in their own case, that every child shall learn the French and English languages. They are perfectly agreeable to and desirous of their children acquiring a knowledge of the majority in addition to their own mother tongue.

If the French speaking minority is in complete accord with the Ontario Government upon the essential element or matter of the policy, where lies the difficulty or disagreement which we hear so much about?

It suffices to read but cursorily that Regulation 17 to reach the conclusion that its rigorous application would deprive the French speaking child of any fair knowledge of his own language. That child may only be taught in his own tongue during the first form, that is during the first two years of schooling, if it is deemed necessary by the chief inspector and, thereafter, in the other forms, he may have French tuition for a fraction of an hour each day. If, after the first form, his knowledge of English is still insufficient, the language of communication may be the French during an hour or rather a fraction of an hour at the discretion of the chief inspector.

This means that the child will be taught French and English through the medium of the French language when it is deemed that he would be unable to understand the lesson if given in English. The chief inspector will, arbitrarily decide upon that point.

Regulation 17 assumes that the French child will have learnt during the first two years sufficient English to understand the teacher, and that thereafter he will have enough of a fraction of an hour of French tuition each day to learn his own language.

Those two assumptions are held by all the educationists whom I have consulted to be absolutely erroneous and I may add that my own experience leads me to the same conclusion.

The French grammar is much more difficult than the English, and a French child will need as much time, if not more, to learn the rules governing his own language, in his own tongue, as he will need in mastering the relatively simple rules of the English grammar.

If the class hours were equally divided between French and English, when English would be exclusively spoken for half of the time and French during the other half, it is my opinion that English would have the best of this apportionment because of the greater difficulties of the French grammar. Yet no one, I am sure, would object to such a division, except for the first two years when the best results, according to Dr. Merchant himself, are obtained through the use of the mother tongue.

It is manifest to all men who have learnt concurrently French and English in bi-lingual schools that no French child will master, in a fair manner, his mother tongue with an hour only of tuition. And yet Regulation 17 will not even give him that one hour. In the ungraded schools, where all classes are confided to the care of one teacher, the study of French shall not in any day exceed one hour in each classroom. The teacher would thus be prevented from giving more than a small fraction of an hour to each class under his care, from ten to fifteen minutes at most. This is perhaps the proper moment to interject a humorous note into this dry subject in citing the regulation which adds:

"Such instruction in French shall not interfere with the adequacy of the instruction in English"!

Is there any one connected with the Department of Education of Ontario who can be found to affirm that under the system of compulsory laws with which they are armed it is difficult to ordain a programme of study for the bi-lingual schools, which will give satisfactory results?

Can it seriously be contended that a child cannot be properly instructed in English and French in seven or eight years? A visit to any of our bi-lingual schools in Montreal would soon dispel such an impression. I may vouch for this further experience: Many young French Canadians who, through force of circumstances, abandon school after their fourth or fifth year will often prefer to write their correspondence in English. This was corroborated by my right hon. friend from Rockland (Hon. Mr. Edwards) last evening when he stated that during the whole of his career, in his dealings with his customers from the province of Quebec, the correspondence has always been received in English. They have acquired, in a short time, a sufficient knowledge of English but they could not, during the same time, master the greater difficulties of their own mother tongue. I will admit that they generally increased their knowledge of English by contact with English people and by practice. Without practice they would have soon forgotten all that they had learned. I meet every day, even in this Chamber, men who have had a university training, who state that they learned French at school and college but that the lack of practice has obliterated all that they ever knew of French. They cannot even read it.

This brings me to the consideration of the oft repeated affirmation that Ontario must be kept English. I suppose that this means that English must be the sole language of the whole population. A gentleman presiding at a public meeting last week, in Ontario, stated that this could only be done by having the English language, and it alone, taught in the public and separate schools of the province. He favoured that policy.

I am afraid that this gentleman will meet with disappointment if he does not add to his programme. I warn him, in a friendly spirit, that he must see to it that the French child, whom he will teach in English only, gets the necessary environment to continue, after school hours, his practice of English for if he returns to the village and meets but French boys and girls and if, in his own home, he hears nothing but French, the imposition of English tuition exclusively with the view of anglicizing him is doomed to utter failure. He should have a law passed obliging the Ontario Government to expropriate or confiscate the farms owned by people who do not use exclusively the English language and to deport them. I confess that this undertaking would be of some magnitude, since it would involve at the same time the transferring of the bi-lingual Federal Parliament and the capital over the Ottawa river and into the bi-lingual province of Quebec. Seriously speaking, is it not time that the sober-minded men come to-

gether so as to put an end to such unhealthy agitations? Will it not seem to all of them too late in the day to try and exact that all the people of a province shall speak but one language?

When Ontario was carved out of the province of Quebec, the first Ontario Legislature was animated by a different spirit. In its fatherly concern for the welfare and contentment of its people of French origin it enacted legislation providing for the summons of the King to be written in French when served upon its French subjects, for their appearance before a court of justice.

The whole population of Ontario was very small, and small indeed was the French minority in 1791. They are to-day 250,000. It is a figure to be reckoned with. Such a group can resist any unjust treatment. If deprived of the school house which they built with their own money, if despoiled of their school rates they can put up independent schools and bleed themselves anew in order to properly teach their children their mother tongue. A coercive policy in the matter of language has failed of its purpose wherever applied, because it attacks the essence of one's personality, it touches the soul and it calls into action the instinct of self-preservation. The French minority of Ontario is not isolated. It has the right to rely upon the active sympathy of the province of Quebec. What is our justification for raising our voice, we of Quebec, in favour of the Ontario minority? It is to be found in the contract entered into between Ontario and Quebec in 1867. We were then partners under the Act of Union; we had put everything in common to be administered by one legislature, when we were united in 1841. The one Parliament made laws for Upper and Lower Canada. When we decided to federate the provinces of North America and to set up local legislatures which, inter alia, would regulate educational matters, the English province of Ontario confided to the care of the French province of Quebec the English minority in that province, and likewise did the French majority of Quebec confide the French minority of Ontario to the English majority of that province. It is the English minority of Quebec which insisted upon its right to separate schools being inscribed in the British North America Act. As they were all of the Protestant faith, they made the dividing line as between Protestants and Catholics.

Once assured of a system of separate schools the Protestants of Quebec took for granted that they would be masters in their own schools and that they would control absolutely the education of their children. That was what they had in mind and that is what they obtained.

The right to teach the children their mother tongue was so obvious that it did not enter their mind to stipulate it. The principal mouthpiece for the province of Quebec was Georges Etienne Cartier. When he agreed, in the name of French Quebec, to this clause, which was to apply equally to both minorities in the two provinces, can it be contended that he did not expect reciprocity of treatment for his own people?

Are not both provinces interested in the proper interpretation and application of the term of this contract to which they were the principal parties?

If the province of Quebec ever oppressed the English minority by an illiberal construction of the Federal compact, I would naturally expect their Ontario brethren to resent such an action and to do their utmost in its behalf.

I want to believe that this Regulation 17 has not been drafted by the Minister of Education himself, as instruction in French is only provided for schools where French has hitherto been a subject of study. This restrictive form prevents the opening of another school through the expansion of the population in a school district which happens to be French-speaking, as French teaching would be absolutely debarred therein. I will simply ask my English-speaking colleagues what would be their feelings if the English and Protestant separate schools of Quebec were surrounded by some such limitations?

In effect, the French Canadians simply ask the efficacious teaching of the French and English during the whole primary course in the schools or classes attended by their children.

All that is needed to attain that object —which is a laudable one—is for the Government to furnish competent teachers. This task is certainly not beyond the power of the Ontario Government.

Where schools have more than one teacher it is easy to meet the needs of the English and French children by dividing them into separate classes.

In those schools where French and English children have but one teacher, I am told that an understanding can easily be arrived at so as to satisfy the wishes of the English-speaking Catholics who do not ask for any French teaching.

We cannot close our eyes to the fact that

a sentiment exists in some quarters throughout this country, which would favour uniformity of language, of laws, of habits, and of thought. Most of those who hold such views come from the British Isles, where five distinct races and languages have held sway and still maintain their special characteristics. French is an official language in the Channel islands.

Each race contributes to the nation as a whole its qualities and special aptitudes. How much would humanity lose if Europe were all French, or English, or German, if diversity and contrasts were replaced by a monotonous uniformity! Is it in the interest of North America that such a state of things be created?

Hon. Mr. DAVID—Hear, hear.

Hon. Mr. DANDURAND—In the month of August, 1913, when this very regulation was passed, the International Geological Congress was held in the city of Toronto. It was attended by 600 delegates from perhaps all the nations of the world, and the only language which every one could understand, and which was their official language, was French, which held sway for quite a number of days exclusively.

The knowledge of French is too valuable an asset to be treated with disdain. No European deems himself fitted for public life who does not possess that language. With all the peoples who dwell in the Mediterranean sea, French is the language of communication between them. In Egypt where ten races meet, French holds the first place. It is spoken by them all. The proceedings and discussions in all international meetings and congresses are carried on in the French language.

Our resistance to assimilation or absorption should rather draw commendation from our English-speaking compatriots. Is it an evidence of the quality of our race? An inferior material gives way while granite endures.

We belong to the French race, whose civilization has dominated the world for centuries, whose exuberant genius has, to this day, furnished the world with ideas and ideals. We are naturally proud of our lineage. Our forefathers discovered and founded this Canada of ours. We spurn the idea of an inferior status. We claim full partnership, with equal rights and responsibilities, in the upbuilding of our common country.

We are, in Canada, two millions of Canadians of French descent. We govern the second largest province of this Dominion. We have shown in that province the greatest respect for the rights of the minority. We expect from the majority of our sister province of Ontario a treatment compatible with our own dignity.

I have not discussed the constitutional aspect of the question, because the Ontario Government recognizes the right of the French minority to a French education. It, at all events, admits the use of French. My sole aim has been to show that the regulations governing the teaching of French are so restrictive that a French child will not have a fair chance of learning his mother tongue in those English-French schools recognized and supported by the Government. The Minister of Education can easily revise those regulations in a manner that will restore peace and harmony, not only in his own province, but in my own province as well, which is justly moved and disturbed by the appeal which the French minority is making in this matter.

Hon. Mr. McSWEENEY—I have been asked to say a few words upon this question and they will be brief. In New Brunswick we had school troubles for some time, and after seven years an agreement was reached, not by law, but by mutual forbearance, and mutual arrangement. In the city of Moncton, from which I come, we have separate schools, or rather Catholic schools and they rent these buildings to the trustees for a nominal sum. The taxpayers save a great deal of money, because the rental is very small. We have a large number of French children there, as well as Irish Catholic children, and there is an agreement between the trustees and Catholic authorities to allow them to teach the first and second forms in French, and after that English is taught. Besides, after school hours they can give religious instruction for half an hour. That is not sanctioned by law; it is by an agreement with the trustees, but it works out harmoniously. Everybody is satisfied and there is no difficulty. Of course, the whole thing is in the hands of the provinces, and I do not understand why they cannot change that Regulation 17—any regulations for that matter. What the French people want here in Ontario is as follow:

1. The respect of their rights in the education of their children in schools that are maintained with their money.

2. An efficient teaching of the two official languages of the Dominion, during all the primary course in schools or classes frequented by their children.

3. That their children be taught through the natural medium; the maternal tongue.

4. That the children whose parents are wanting them to learn the two official languages of this Dominion be grouped by schools or classes.

5. Schoolmasters capable of teaching the two official languages of Canada to take charge of the schools or classes frequented by the children whose parents want them to learn English and French.

6. Their share of the subsidies annually voted by the Legislative Assembly.

7. A sole inspection, Catholic and French-English, of the separate schools frequented by their children.

8. A sole inspection, French-English, of the public schools frequented by their children.

9. The granting of diplomas to the bi-lingual teachers of both sexes who have successfully passed the examination required by the Department of Public Education.

I do not see why these things cannot be arranged amicably in Ontario. We spent some years in turmoil and trouble in New Brunswick and now everybody seems to be satisfied, both English and French.

Hon. Mr. BEIQUE—If hon. gentlemen will bear with me for a few minutes I will say a few words on the motion of my esteemed friend the hon. senator for Mille Iles.

There must be some misapprehension, at least in the province of Ontario, as to the status of the French language in this Dominion, and I would like to make that point clear in as few words as possible.

When the British North America Act was passed, as the enacting of laws in relation to education was left to each province it was deemed necessary to provide safeguards with regard to denominational schools. Hence section 93 of the Act, which reads as follows:

"93. In and for each province the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:

(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union:

(2) All the powers, privileges, and duties at the Union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec:

(3) Where in any province a system of separate or dissentient schools exists by law at the Union or is thereafter established by the Legislature of the province an appeal shall lie to the Governor General in Council from any Act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education:

(4) In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the Governor General in Council under this section.

It is contended that under this section, each legislature may legislate as it pleases in all matters of education, subject only to respecting the rights and privileges of the minority, whether Protestant or Catholic, in regard to denominational or separate schools; in other words, that from the wording of section 93 as well as from its context, the rights and privileges which were intended to be protected were rights and privileges in regard to religious education only.

It is claimed, on the other hand, that if no reference was made to the English or to the French language in section 93, it was because the status of the two languages in the Dominion was dealt with in section 133 of the Act; and that as this section declares the English and French languages official, and in some respects obligatory, throughout Canada, it is not within the power of any of the provinces to suppress the teaching of either of them.

Whatever may be the merits of these contentions, which I do not propose to discuss here, there is, I submit confidently, one point on which there can be no room for disagreement; it is that the French language stands in the whole Dominion constitutionally on the same footing as the English language.

Members of this House are familiar with section 133 saying that:

"Either the English or the French language may be used by any person in the debates of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec, and both those languages shall be used in the respective Records and Journals of the Houses."

Mark the words: Either of the two languages "may be used" in this House and in the House of Commons and in both Houses of the Quebec Legislature, and both languages "shall be used" in the records and journals. It seems elementary to me at least, that the making of the use of the

English and of the French languages thus obligatory, implies that in the spirit, if not in the wording, of the Constitution the teaching of both was intended to be left free and untrammelled.

The English speaking members of this House and the French speaking members of the Quebec Legislature may find it sometimes unnecessary to thus have all records and journals printed in both English and French, yet you may be sure that the English minority in Quebec is as jealous as we are here of the privilege.

Section 133 says further: "and either of those languages (English and French) may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act and in or from all or any of the courts of Quebec."

You are aware that under section 101 of the British North America Act, power is given to the Parliament of Canada to provide from time to time for the constitution, maintenance and operation of a general Court of Appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada.

So far two courts only have been established by this Parliament, the Supreme Court of Canada, having an appellate civil and criminal jurisdiction within and throughout Canada, and the Exchequer Court of Canada having original jurisdiction all over Canada in many matters of very great importance.

Other courts may be established with like jurisdiction throughout Canada, such as an Admiralty Court—(under chapter 141 of the Revised Statutes of Canada. Admiralty jurisdiction is given to the Exchequer Court)—commercial courts, bankruptcy and insolvency courts, etc.

In all these courts of law, whether sitting in the province of Ontario or in any other province, it is and it shall remain the constitutional right and privilege of any person to cause processes of law to be issued in the French or in the English language, at his own discretion, and to use either of these languages in addressing the courts.

Extraordinary as these privileges may appear to-day to certain persons, when granted, at the time of the Confederation, they did not give rise to any discussion. Everybody seemed to be agreed that as a matter of natural and plain justice to the two races concerned and in the best interest of Canada the perpetuation of both languages should be guaranteed.

Both French and English did great things for this part of the North American continent. The French were its first pioneers throughout the length and breadth of the land. They introduced here Christianity and civilization, and after passing under the English Crown, they helped in defending, maintaining and developing British institutions. You English-speaking people brought in here these British institutions of which we are all equally jealous and proud. With the religious and moral sense which characterizes your race, you created and maintained that great modern power, public opinion, which is so invaluable for the peace, good government and progress of any country.

It is no wonder that at the time of Confederation, when the foundation of a great Canadian nation was laid, it was deemed fair and proper to guarantee to the descendants of both races, the free use of their respective language.

As to the grounds of complaint, it will be sufficient for me to refer to the unanimous report of the six inspectors, three English and three French, appointed by the Department of Education of the province of Ontario to carry out Regulation 17:

> The inspectors agree that regulation XVII has not been effective for the following reasons:
>
> "It was taken to mean that French could not be used as a language of instruction and communication. It was regarded as an attempt to gradually eliminate the French language from the English-French schools.
>
> "Inspectors furthermore agree that the limitation to one hour of the teacher's time for French as a subject of study does not adequately meet the conditions."

I have before me an eloquent appeal made on the question by our late esteemed colleague, Sir Richard W. Scott, not long before his death. It was embodied in a letter dated the 8th of October, 1912, and published in the Toronto Globe of the 15th of the same month. In his letter he took very strong ground against Regulation 17 as seriously interfering with the application of the law in connection with separate schools. The whole letter is well worth quoting. It is as follows:

> The main object of the Separate School Act of 1863 was to give the Catholic parent the right to educate his child according to his own views and to combine religious with secular education. It had no reference to nationality, and even at that time there were French schools

in Ottawa, a large portion of my constituents being of that nationality. So, for over fifty years, the French Catholics have enjoyed the "right or privilege" of educating their children through the medium of their own language.

Before Confederation the schools of Upper Canada were under the jurisdiction of a Superintendent of Education. The Rev. Dr. Ryerson, a Methodist clergyman, was the head of the department, and it was he who established the public school system, copying its principles from those prevailing in the United States. Having inaugurated that system, he was naturally desirous of preserving it intact, and when in 1860 my Bill was first introduced it had his opposition; but as years passed on and the subject was freely discussed by the press and at political meetings public opinion favoured the concession to the mionrity, and Dr. Ryerson withdrew his objection and supported the passing of the Act of 1863. Lest, however, any superintendent of education might make objectionable regulations affecting separate schools the Act contained an appeal by the trustees to the Governor General in Council, whose award "shall be final in all cases."

At this point in his letter Sir Richard Scott quoted section 93 of the British North America Act.

Taking a practical view of present conditions, a majority of the boys and girls do acquire a knowledge of English before leaving school. In Ottawa I am confident that 95 per cent of the pupils in bi-lingual schools speak English perfectly before reaching fourteen years of age, and they realize that a knowledge of the two languages is a great advantage. But, to force French children to learn English in their first year at school, wounds their natural pride, and they naturally resent the attempt.

The same feeling prevails in other countries. For over a hundred years Poland has had the sympathy of the world in its refusal to adopt the Russian language, Germany cannot force its language on Alsace and Lorraine. Surely Ontario is not going to follow the example of Russia in its treatment of citizens who do not conform to the language of the majority.

The Parental Rights.

The child belongs to the parent, not to the state, and the parent should certainly have a voice in the education of his own child. But under the recent edicts the French parent in Ontario has no voice over the education of his children. Any one doubting that statement should read the official circular of instructions for the year 1912-1913. It embraces twenty-five sections and subsections, all crippling the possible education of the French child through the medium of his native language. The circular entirely ignores the board of separate school trustees and places arbitrary power in supervising inspectors who, in the three cases quoted in the press, are admitted to be Protestants, thus necessarily creating friction between parents and trustees. (cf. Rule 17.)

Keeping in view the admitted fact that the present appointees are Protestants, it is clear that members of the Orange Order are eligible for the position of supervising inspectors, and may be selected to dictate the course of studies to be followed by French Catholic children. Is the Catholic parent to have no voice in the education of his child?

The teachers in French schools, unless qualified to teach the public school course in the English language, can no longer be granted a certificate. (Section 13, Rule 17.)

Now compare these arbitrary and harsh rules with the sympathetic and Christian policy meted out to English Protestant children in Quebec. They are placed under the paternal control of the Protestant committee of the Board of Education. The Quebec Government does not interfere with the administration of the schools. In addition to a pro rata share in the general education fund, Protestant high schools in Montréal and Quebec receive annual subsidies. Fifty academies and model schools in cities and towns receive grants. McGill receives $3,000 for the education of Protestant teachers. The Protestant committee, in addition to other grants, receives $3,000 to educate bi-lingual teachers. Last session the Legislature voted $15,000 to aid education in poor Protestant districts. All that and much more is granted in aid of Protestant education; while the Catholic minority of Ontario receives no such contribution and get no share of the taxes of corporate bodies, though they contribute to the wealth of these corporations.

If Sir Lomer Guin were to follow the example of the Ontario Premier and appoint French Catholic supervisory inspectors to supersede the Protestant Board of Education, giving them the powers conferred on the Ontario inspectors, would not such action be denounced over Ontario as intolerable tyranny? Yet that is the policy meted out to the French Catholic parent and child who have crossed the border and sought a home in a sister province. If the language so bitterly proscribed were a foreign tongue, one could understand the reason for crushing it out. But considering that French is one of the official languages of Canada, spoken by 2,000,000 of our fellow-subjects and by over 100,000,000 outside the Dominion, that it is the ambition of cultured men and women in all countries, next after their native dialect, to be able to speak French; and considering that the literature of France is of the highest and most refined standard, the study of the language should not be discouraged. In all international conventions French is the usual medium of communication. Even when about forty delegates from forty countries met in June last in London to discuss the wireless telegraphy and frame regulations for its use, French was the language for the interchange of ideas, and Canada was fortunate in having a representative who was not only a fluent speaker in French, but was also an expert in the subject under discussion. Yet that language is to be interdicted in the French schoo's of Ontario! Fortunately the constitution provides for an appeal to a higher power.

(Sgd.) R. W. Scott,

Ottawa, Oct. 8, 1912.

The letter was that of a man of great experience and a true patriot. Every word of it may be commended to the sound judgment of every member of this House.

We do not ask that all children in Ontario be not compelled to learn English, or even to become proficient in that language. We are all anxious, whether in

Ontario or in Quebec, for opportunities to learn it. All that we ask is that the inhabitants of French origin be not deprived of learning their own language as well.

To put it in the words of the French Canadian Association of Ontario, French-Canadians are asking:

1. The respect of their rights for the education of their children in schools supported with their money.
2. The efficacious teaching of the two official languages of Canada during the whole primary course in the schools or classes attended by their children.
3. The teaching of their children through the natural vehicle: the mother tongue.
4. The grouping by schools or classes of the children to whom their parents wish to have the two official languages taught.
5. Competent teachers capable of teaching the two official languages of Canada to take the management of schools or classes attended by the children whose parents require teaching of French and English.
6. Their part of school grants voted each year by the Legislative Assembly.
7. One inspection, Catholic and Franco-English, of separate schools attended by their children.
8. One inspection, Franco-English, of public schools attended by their children.
9. The granting of certificates to bi-lingual teachers who have successfully passed the examinations required by the Department of Education.

Again borowing the wording used by the same association, French-Canadians in Ontario do not want (1) schools exclusively French; (2) they do not want to force English-speaking children or others to study the French language; (3) they do not ask for the introduction of a third school system in the province.

What objection can there be to education being given in the two languages in Ontario as it is given in Quebec, at least to those who desire to acquire the knowledge of both? Are we in the province of Quebec, who have been taught French and English in our schools, really inferior in Parliament, in the liberal professions, in science, in arts, or in any other sphere of life, to those who know English only? Is there any hon. gentleman in this House possessed only of the English language who would not deem it a great advantage to possess French as well? For my part, deficient as I am in English, no monetary consideration could induce me to forego, were it possible, such knowledge as I have of the English language.

Is there any ground for apprehension that the perpetuation of the two languages may interfere with the unity of the nation or the building of a true Canadian nationality? History shows the diversity of races or languages is rather a cause of emulation between them and a source of progress. In France to this day there are old provinces where French is hardly spoken. For instance, in Britanny, the Breton, a Celtic language, is used by most of the people and is taught in the schools. In la Provence and in what is called le pays Basques, the Provencal or the Basque is spoken. Again, take Belgium, a country which for its patriotism and its heroism is to-day admired the world over; it is divided, as you know, into Flemish, of German origin, and Walloons, of French extraction. Their language is as different as English and French. Again you have the progressive and admirable small nation Switzerland, divided into German, French, Italian and Rhetian. They all speak their respective language; and it in no way interferes with their unity or national character.

Hon. members have already referred to the British Isles where different languages are commonly spoken and freely taught in schools. India could also be referred to in that respect.

A number of other instances could be given. In the Eastern States of the American republic, a population of French Canadians exceeding one million is to be found forming the majority in several cities and towns and speaking their own language. As the laws of their own state permit, they get naturalized, and they are as proud as any American born of their American citizenship. Some of them are Governors of their own state, elected and re-elected by English as well as by French-speaking electors. This condition of things is due, you may be sure, to the fact that they live contented, unmolested, and allowed to freely conserve what is most dear to them, their mother's language.

French Canadians are much more attached to Canada than is generally believed. If any English-speaking Canadians leave this country for a visit to England, Scotland or Ireland, he invariably says: I am going home . We French Canadians, when leaving for France, say nothing of the kind. Canada, Canada only, is and shall remain our home. There may be, unfortunately, in this country people who believe that means should be taken to cause the absorption as soon as possible of the French minority by the English majority. To those who may labour under this misconception, let me say that unfair treatment has always been the best

invigorating element of minorities, whether religious or racial. For my part, if I did not value as much as I do harmony between all races in the interest of this country, I would rejoice at all causes of complaint given to the French or to the Catholic minorities. I would be sure that it would be the best guarantee of their continued strength and healthy condition.

Thank heaven it is in human nature that the same persistence and tenacity be employed in resisting and repelling what one believes to be an injustice, and this applies especially in social and religious matters. Ireland and Poland are living proofs of the truth of my contention.

Lord Elgin, while Governor of Canada in 1847 or 1848, wrote to the Secretary of Colonies as follows:

> I am very anxious to hear that you have taken steps for the repeal of so much of the Act of Union as imposes restrictions on the use of the French language. The delay which has taken place in giving effect to the promise made, I think by Gladstone, on this subject, is one of the points of which Papineau is availing himself for purposes of agitation. I must, moreover, confess, that I for one am deeply convinced of the impolicy of all such attempts to denationalize the French. Generally speaking they produce the opposite effect from that intended, causing the flame of national prejudice and animosity to burn more fiercely. But suppose them to be successful, what would be the result? You may perhaps "Americanize," but, depend upon it, by methods of this description you will never "Anglicize" the French inhabitants of the province. Let them feel, on the other hand, that their religion, their habits, their prepossessions, their prejudices if you will, are more considered and respected here than in other portions of this vast continent, who will venture to say that the last hand which waves the British flag on American ground may not be that of a French Canadian?
>
> Lord Elgin.

He was a great Governor who knew and appreciated the aspirations of the French Canadians and was always ready to deal fairly with them.

Let me now read a letter from Sir George W. Ross:

> Are we acting wisely in our treatment of bi-lingual education? I freely admit the importance of an English education to every citizen of Canada. English is the chief business and professional language of Canada, and the want of it is doubtless a handicap upon every person who has to earn a livelihood in competition with his fellow-Canadians. In another sense, the want of it is as great a loss. In every province except Quebec a knowledge of Canadian affairs, of the growth and progress of Canada, of its public men and its public interests, is to be obtained chiefly through the English press.
>
> For these reasons it is desirable that every Canadian should at least be able to read and write intelligently in the English language. To encourage a desire for this knowledge should not be considered a reflection upon the mother tongue of any nationality.
>
> The survival of the French language in Canada, notwithstanding the constitutional changes of one hundred and fifty years and the large growth of the English-speaking population, is a factor to be considered in dealing with bilingual schools. It shows a love for a distinctive feature of racial origin seldom exhibited by any other people under similar circumstances.
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> To the French-Canadian his tongue is his dearest heritage, not because he has any longings for the restoration of French supremacy in Canada, but because he considers it a badge of his individuality and necessary for the preservation of his religion in a country that was once his own and in which he reigned supreme. If, then, the love of the French Canadian for his mother tongue is sacrosanct, if it means to him all that he need know of speech, and, in some cases, all he cares to know, the advantages of another language must be presented in a form that appeals to his personal interest as a man and a citizen.
>
> The survival of the French language in Canada has also its historical side. By the Quebec Act of 1774, Roman Catholics were guaranteed the free exercise of their religion, and their ancient customs as to property and civil rights. French was the language of the courts to which they looked for justice. No other language was required for purpose of business or devotion. When Lower Canada was constituted a separate province in 1791 French became the language of government and legislation, and thus French became interwoven with the very texture of their religious, political and social lives.
>
> When Lower Canada became united with Upper Canada in 1841 the French race, and for that matter the Saxon also, was obliged to take a wide outlook of public life.
>
> The equality of both languages in debate and in everything that pertained to the duties and procedure of Parliament was afterwards reaffirmed by the British North America Act of 1867.
>
> Now what has been the effect of the use the French language in Parliament on terms of equality with English?
>
> Forty years ago when I was first a member of the House of Commons, we had five French-speaking members for every one we have now. Not that the French members have lost their love for the French language, but because (greatly to their credit) French members of Parliament as a rule, have become good English as well as French scholars, and so can express themselves as well in English, though perhaps not so fluently, as in their mother tongue, as witness Sir Wilfrid Laurier, Lemieux, Monk, Bourassa, Lavergne, as well as Speaker Landry, ex-Speaker Dandurand, Béique, David, Belcourt, and others of the Senate. Without being unduly critical, I venture to say that not a few English-speaking members would suffer by comparison with their French compatriots in the use of clear, concise and expressive English. The earmark of the French speaker is his accent, not his want of vocabulary.
>
> Now what does this historical sketch signify? Clearly that the French language has a status

in the very constitution which entitles it to consideration. Its use is sanctioned by the Parliament of the Mother Country, the fathers of Confederation, and the Parliament of Canada, and this is no mean distinction, not hastily determined.

Now, it is contended that this equality of status in Parliament signifies or is intended to signify an equality of its status in the curriculum of the schools of Canada.

The claim of the French language to a place on the school curriculum is a question of public policy—a question of what is best for those who know no other language and what is best for their future citizenship, and it is only from this standpoint that the question should be considered by the French-speaking population, to whom it is of primary importance, as well as by those responsible for our school system.

The lessons to be learned from the parliamentary sanction of the French language may, then, be summed up as follows:

(1) By permitting the use of the French language in Parliament the suspicion or apprehension that the majority was influenced by prejudice against their French compatriots was greatly modified. Is there not a similar suspicion with regard to the use of French in bilingual schools?

(2) The use of the French language in Parliament qualified French members to discharge their duties more efficiently by enabling them to declare intelligently their minds in all matters of legislation. Why, then, should not the teacher of a bi-lingual school be allowed the free use of the language which his pupils understand? Who ever looks for an object in the dark with an extinguished lamp?

(3) The inability to use the English language in Parliamentary debate was the result of environment for which the member was not responsible. Why should his usefulness be marred by the accident of birth or race? Why should he be prohibited as by a decree of fate from using the only language by which he could discharge his duties efficiently as a member of Parliament? Is it not so with the child at school? It is no fault of his that he was born of French parents. It is no fault of his that he speaks French. You cannot reach his mind by a language he cannot understand. By giving equivalent terms in English you make his knowledge of French a stepping-stone to a knowledge of English.

(4) The free and unrestrained use of the French language in Parliament has led to greater efficiency in the use of the English language. If both languages were taught in a bi-lingual school would not a similar result follow? You only accentuate a preference or a prejudice by discriminating against it. There is no lingual choice between conditions under which they are to be used. The conditions in Quebec favour French; in Ontario, English favour both. Restraint only tends to perpetuate what greater liberty would secure.

But it is said that Ontario is an English-speaking province, and therefore French should not be taught in our schools. By similar reasoning it might be said that Quebec is a French-speaking province, English should not be taught in the schools of Quebec. This is a painfully narrow view to take of the object of education. Education is a means to an end, and should be adapted to the needs of the whole people.

This character of our schools should be maintained at all hazards, and if it means anything it means that the public school should open its doors so wide that every child, irrespective of its origin, should share in its privileges on a common basis.

In my next article I propose offering some suggestions as to how this end can best be attained.

Sir Geo. W. Ross.

This was a letter written by a man of large experience in educational matters and who, as you know, was minister of Education in Onatrio for several years.

For French Canadians the use of their language concerns not only the perpetuation of the race, it is "a badge of their own individuality, and necessary for the preservation of their religion."

Believe me, honourable gentlemen, not only for the sake of fair play and harmony, but in the true interest of the future of this Dominion, let each of the two races have its free expansion on this continent. Each language has been immortalized by a long series of great and brilliant writers. The civilization of the one, as that of the other, which are "the flowers of the ages" and amongst the main jewels of the world, is as necessary on this continent as on the European continent. The obliteration of either of them would be nothing short of a human catastrophe.

I have only one word more to add, it is the hope that this honourable House will be unanimous in regretting, as is so well expressed in the motion, the divisions which seem to exist among the people of the province of Ontario in connection with the bi-lingual school question, and in expressing its belief that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines, and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation and with the spirit of our Constitution.

The application of a wide, liberal and generous spirit to the settlement of this question will be in keeping with the wise and generous policy of the British Government in dealing with such questions throughout the Empire, and with the present and I sincerely hope the enduring and everlasting entente cordiale between the two great nations, England and France, whose gigantic common and concerted efforts of blood and resources of all kinds are at present engaged at saving the civilization of the world.

L'honorable M. POIRIER: Honorables messieurs, je désire en commençant faire bien comprendre à mes amis de la province de Québec ainsi qu'à ceux de la province d'Ontario, que je suis de cœur et d'âme avec eux dans la lutte qu'ils poursuivent pour le maintien de l'enseignement de notre langue nationale dans l'Ontario. Je dirai plus: Toute personne ici au Canada qui ne s'est pas laissée préjuger et prévenir est avec eux de cœur et d'esprit. C'est la minorité qui est opposée à l'enseignement du français. Ceci étant compris, je dois maintenant dire que mes vues ne seront peut-être pas, ne seront probablement pas celles de tout le monde, de tous ceux qui comme moi sont français et catholiques. Je demande que l'on m'accorde tout le bénéfice du doute, et que l'on veuille croire que si je diffère d'opinion sur quelques points même importants avec mes amis, c'est parce que les remèdes que je crois bons et efficaces ne sont pas ceux qu'ils croient de leur côté les meilleurs. J'admets leur sincérité; je les prie de croire à la mienne.

La situation, messieurs, est mauvaise dans l'Ontario; sérieusement mauvaise; et ce qui est plus grave, menace d'empirer. Or, pourquoi cela? Je suis, je puis dire, citoyen d'Ontario depuis 42 ans. J'ai demeuré ici en permanence, depuis le premier parlement qui a suivi la Confédération. Ce qui vent dire que je dois être—à moins d'être aveugle et sourd—un peu au courant de ce qui s'est passé, ou au moins de l'état d'âme des Anglais et des Français de l'Ontario.

Je dois dire ici à la louange de nos amis de l'Ontario qui ne pratiquent pas la religion catholique, protestants ou organistes, qu'ils n'ont pas jusqu'ici fait d'obstacles sérieux que je connaisse, jusqu'à ces dernières années, à l'enseignement du culte religieux dans les écoles et à l'enseignement du français. Or, pourquoi une bonne situation est-elle devenu mauvaise? Il y a quelque chose qui n'est pas naturel dans tout cela. Des personnes bien disposées vis-à-vis de nous ne deviennent pas, je ne dis pas du jour au lendemain, mais d'une année à une autre, un peu hostile, joliment hostile et finalement hostile tout à fait.

C'est une erreur, messieurs, de croire que tout le tort est du côté d'Ontario. Dans une dispute, le tort n'est presque jamais tout d'un côté. Si d'un côté et de l'autre on voulait raisonner, surtout étudier froidement les causes de friction, on arriverait à les connaître et la paix serait vite rétablie.

Je ne crois pas prudent d'appuyer sur le côté où je crois que nos amis d'Ontario ont poursuivi une politique, pour dire le moins, malhabile. Il n'est pas dans la nature française de provoquer les antipathies anglaises. L'on est cependant arrivé à ce résultat-là à l'heure qu'il est. Appelons les choses par leur nom: "A spade a spade"; au lieu de n'avoir contre nous que les orangistes.... Tout d'abord, il faut remarquer que nous n'avons jamais eu contre nous les orangistes. Nous avons eu un petit groupe de ces messieurs qui ne nous aimaient pas, mais le plus grand nombre d'entre eux compte parmi les hommes les plus honorables et les plus honorés qu'ait produit le Canada. Sir John Macdonald en était un. Je cite aussi mon honorable collègue à ma gauche (sir Mackenzie Bowell) qui est allé à une défaite certaine pour la revendication d'écoles publiques séparées auxquelles il ne croyait pas. Cet homme-là est un homme d'honneur tel qu'on en trouve rarement. M. Emmerson qui vient de mourir, et qui représentait mon comté occupait une haute situation parmi les loges. Eh bien! nous-autres Acadiens qui ne voulons jamais soulever ces questions, ne trouvions pas de meilleur ami que M. Emmerson. Le groupe orangiste, messieurs, qui a des chefs semblables ne peut pas être aussi noir qu'on le représente; ce parti veut qu'on le respecte et qu'on ne condamne pas tous les orangistes sans un peu étudier les détails.

Messieurs, les causes qui ont amené le malheureux état où nous sommes ne sont pas dues exclusivement aux orangistes; peut-être n'y ont-ils pas plus que 50 pour cent de part. Nous avons notre part inconsciente ou consciente; mais, comme je l'ai dit, il n'est pas prudent ni avantageux d'entrer dans aucune précision. La cause la plus éloignée de dissension, c'est la bataille de la Boyne. Qu'avons-nous à faire d'être là. Pourquoi ces dix milles soldats réguliers de Louis XIV était-ils là. Louis XIV en s'immisçant là où il n'avait pas droit de se remémorer défavorablement la Boyne, ce seraient messieurs les orangistes. Nous étions dix milles Français combattant contre eux, qui n'avions aucune affaire d'être là. Pourquoi ces dix milles soldats réguliers de Louis XIV étaient-ils là. Louis XIV en s'immisçant là où il n'avait pas d'affaire nous fait porter la responsabilité d'événements auxquels nos ancêtres mêmes n'avaient pas consenti; le peuple n'était pas libre alors. Alors qu'a donc à faire ici la bataille de la Boyne. Laissons puisqu'ils s'y plaisent régler cette question entre messieurs les Irlandais catholiques et les protestants; ils sont capables de dispu-

ter sans que nous nous en mêlions et que nous allions y mettre les doigts.

La cause, messieurs, dont je peux parler sans blesser les susceptibilités, la cause du mauvais accord qui existe aujourd'hui, c'est la presse intolérante, composée de journaux que je nommerai pas, qui par besoin d'habitudes, pour montrer qu'ils ont quelque raison d'être, périodiquement ont un article offensif contre les catholiques. Certains journaux de la province de Québec, peu nombreux, mais non moins intolérants, ripostent du tac au tac, prenant ce qu'on devrait laisser traîner sans le relever, faisant quelque chose de cela et représentant nos amis les orangistes, représentant toute la secte comme hostile, lorsqu'il n'y avait que la queue traînante qui faisait du bruit; qui faisait un bruit apparemment hostile. Qu'arrive-t-il? Echange de mauvais procédés. On a commencé graduellement. Un mauvais article de la province d'Ontario en a provoqué une plus mauvais chez la presse castor; on s'injurie au nom des loges, d'un côté, au nom de Dieu, de l'autre, et d'indifférents qu'on était on a fini par devenir des adversaires, sinon des ennemis.

Eh bien! Messieurs c'est cette coutume de prendre de choisir ce qu'il y a de mauvais d'un côté, et seulement ce qu'il y a de mauvais et d'éliminer ce qu'il y a de bon, et cela réciproquement, qui nous a conduits là où nous sommes. Mon idée pour le règlement de cette question serait de faire une trève de douze mois; une trève entre les organes anti-français de la province d'Ontario et les organes anti-orangistes de la province de Québec de langue française.

Et pourquoi ne le ferions-nous pas. Cette guerre universelle amène bien en Russie l'abolition du "Vudka" et de l'absinthe suisse en France. Je sais que les préjugés nationaux et religieux sont plus malaisés à déraciner, que l'ivrognerie, mais enfin pourquoi ne ferions-nous pas nous aussi notre part de sacrince; pourquoi ne nous imposerions-nous pas quelque chose nous aussi en vue de la paix universelle qui s'annonce pour tout l'univers; nous serait-il impossible de faire un Canada uni?

Je proposerai ceci: que les journalistes d'Ontario de nuance orangiste et les journalistes de Québec de nuance castor fassent trève pendant douze mois; c'est-à-dire ne relèvent rien qui soit hostile aux catholiques d'un côté ou aux protestants de l'autre. Je suis presque autorisé à demander ceci, parce que nous sommes, en Acadie, de ceux qui souffrent de ces abus, de demander aux journaux castors, à cette certaine catégorie de journaux qui vit d'attaques haineuses, tout en croyant probablement, comme dit l'Evangile, servir Dieu, de cesser pendant douze mois tout attaque directe contre les orangistes. Que les orangistes de leur côté prennent ce qu'ils trouveront de bon parmi les catholiques, qu'ils montrent les catholiques sous une face autre que celle qu'ils ont fait jusqu'ici; que nous, catholiques dont c'est le devoir peut-être plus impérieux que pour ces messieurs d'exercer la charité, non pas seulement en paroles mais aussi d'exemple, prenions dans ces journaux d'Ontario tout ce que nous trouverons de bon à l'adresse des catholiques, cela pendant douze mois. Je crois qu'après douze mois de ces bons procédés la question bilingue sera réglée, qu'un nouvel esprit aura été créé. On aura appris chez ces messieurs d'Ontario à respecter, presque à aimer les Français; et ceux d'entre nous qui sommes préjugés vis-à-vis d'eux, comme ils le sont vis-à-vis de nous noush aurons compris, estimé et aimé des hommes aimables et estimables.

Je parle avec connaissance de cause, vu que pendant des saisons toutes entières j'ai vécu dans des milieux composés de protestants et apparemment orangistes, puisque le 12 juillet, ils sortaient en très grand nombre; eh bien, je n'ai jamais rencontré parmi les miens plus d'honnêtété, plus d'honneur, plus de droiture et je ne me suis jamais formé d'amis plus fidèles et plus francs. Et vous me croirez messieurs, si je vous dis, non pas par bravade mais par fierte religieuse et nationale,—je n'allais pas crier sur les toits que j'étais Français, je ne me mettais pas sur les clôtures ou les maisons pour faire le signe de la croix,—mais je pratiquais devant eux ma religion et ne rougissais pas de ma nationalité.

Pratiquons pendant douze mois le contraire de ce qui se fait, et vous verrez le résultat merveilleux. J'irai plus loin; que si les journalistes ne veulent pas faire trève, je demanderai aux abonnés de renvoyer le journal, aux annonceurs de retirer leurs annonces, afin de les forcer à une direction meilleure. Pour ma part, je m'engage aujourd'hui—je suis abonné à plusieurs journaux anglais et français—de renvoyer impitoyablement ces journaux catholiques qui publieront des articles qui ne seront pas raisonnables ou déclameront contre les protestants ou les orangistes. Je demanderais à ces messieurs de l'autre côté de faire la même chose. Vous verrez que ces moyens seront plus efficaces pour la

véritable bonne entente, pour la véritable union que d'aller devant les cours de justice.

Il paraît que l'on veut régler la question avec des décrets de cour. Laissez-moi vous dire, que, d'après mon humble opinion, j'ai quelque expérience là-dedans, vous ne la règlerez jamais, nous ne la règlerons jamais de cette façon-là. La cour devant laquelle nous devons gagner notre cause aujourd'hui est celle de la bonne et saine opinion publique qui commence à se tourner contre nous. Ce sont les commissions d'écoles catholiques et le ministère d'Education d'Ontario qui doivent régler la question. Ceux d'Ottawa qui à tort ou à raison représentent tout Ontario, qui parlent pour tout Ontario n'ont qu'à aller devant le cabinet de cette province, conservateur ou libéral, non pas comme de suppléants mais avec les pétitions ou les raissons alléguées par les différents orateurs qui ont parlé avant moi; ils devront aller trouver ces messieurs et leur dire comment nous voulons la paix, mais une paix compatible avec nos droits, nos aspirations; et vous verrez que l'on prêtera une oreille favorable. L'Ontario anglo-saxonne a honte d'être la seule province du Dominion et peut-être du monde où l'on proscrive la plus belle, la plus harmonieuse des langues qui soit aujourd'hui parlée parmi les hommes.

Je vous dis que le recours aux tribunaux, le recours au Conseil privé pour moi est fatal. Voyons on recrute de l'argent dans tout le Dominion; on est rendu au Nouveau-Brunswick; on recueille l'argent pour les écoles de l'Ontario, mais non pour aller paraître devant les cours. Laissez-moi vous dire que la plupart de nos hommes publics sont opposés à l'idée d'amener cette question devant le Conseil du Roi. Ou vous gagnerez ou vous ne gagnerez pas. Monsieur le sénateur d'Ottawa, à Québec, dans une séance à laquelle j'assistais, a fait un exposé légal, clair de la question, il nous a dit dans un plaidoyer magnifique que nous n'aurions pas grande chance de succès en Angleterre. Supposons que nous gagnions notre cause devant le Conseil privé d'Angleterre, que va-t-il arriver? Une aggravation de la situation dont vous ne vous faites pas d'idée. Là où nous avons encore une grande partie d'Ontario pour nous, Ontario tout entier se soulèvera contre l'idée de voir la province de Québec (parce que tout sera attribué à la province de Québec) forcer chez eux un enseignement qui leur paraîtra odieux; et tout ce que les cours d'Angleterre pourront passer de décrets sera d'un tour de main annulé par le bureau d'éducation de Toronto, s'ils le veulent, et ils le voudront; parce qu'alors on aura monté l'opinion publique.

Et si nous perdons, qu'arrivera-t-il? Au lieu d'aller à Toronto avec des prétentions de droits ou de quasi-droits, d'arguments tels que ceux que nous entendons, il faudra aller en humbles suppliants ou bien abandonner la cause; nos gens se décourageront. On se jettera le blâme les uns sur les autres; il n'y aura plus que le chaos dans Ontario; il n'y aura plus de direction pour la poursuite de cette guerre de laquelle je suis partisan pourvu qu'elle se fasse non pas comme une guerre violente mais comme une revendication entre gens susceptibles de se comprendre.

Ainsi, pour moi, le recours légal, les injures, l'intolérance, tout cela, ce sont des moyens également mauvais, des moyens avec lesquels nous n'arriverons à rien qu'à aggraver une situation déjà trop mauvaise.

Que faire? Le contraire de ce qui s'est fait, ou à peu près. Voyons, il y a quarante ans, nous, au Nouveau-Brunswick, avons commencé précisément par où vous allez finir: la guerre civile. Ici, il faut que je sois compris à demi mot. La situation était telle. . . . on avait soulevé nos pauvres Acadiens contre les employés du gouvernement. On ne se contentait pas comme dans Ontario de faire sortir les enfants des écoles, mais on nous avait fait nous armer, et nous avions tué un officier du gouvernement. Les miliciens sont venus, ils ont tué des nôtres. Quel a été le résultat: Nous avons été quatre ans sans pouvoir envoyer nos enfants à l'école publique sous défense ecclésiastique et autre. Presque toute une génération d'Acadiens est sortie de là absolument illettrée. Vous n'auriez pas fait flancher un Anglais pour nous accorder quoi que ce soit. Le pays était monté; vous ne vous faites pas une idée de cela, comme c'est laid de voir des citoyens s'armer les uns contre les autres pour des questions religieuses ou de nationalité.

Nous étions l'infime minorité. Nous avons été quatre ans, comme résultat, sans envoyer nos enfants à l'école.

Aujourd'hui, la situation au Nouveau-Brunswick, mon ami de Moncton vous l'a dit, est bonne, presque excellente. Mon ami de la Nouvelle-Ecosse vous dira qu'à la Nouvelle-Ecosse elle est meilleure; et nous avons les mêmes lois anti-religieuses qui ont été passées en 1871 et qui subsistent encore

à la lettre. La commotion d'alors a été tellement forte qu'aujourd'hui nous n'oserions pas, nous ne voudrions pas dans l'intérêt de la paix soulever ce mauvais levain dont nous avons eu tant à souffrir.

Eh bien! mesieurs, avec une mauvaise loi, nous sommes arrivés, mon ami de Moncton vous l'a dit, nous sommes arrivés à enrôler avec nous les deux journaux de Moncton; et lorsque nous demandons deux heures d'enseignement exclusif du français, je me rappelle avoir vu un journal en offrir quatre s'il le fallait.

Ceux qui menaient la question avec bruit, pour le panage, ont complètement échoué. On nous a laissé nous-autres laïques prendre la direction des affaires. Voici comment nous sommes arrivés à la paix. Nous avons commencé par montrer notre parfaite droiture et sincérité; nous sommes allés graduellement devant nos amis protestants et orangistes leur faire comprendre notre cause, qu'ils n'ont pas comprise d'abord. Nous avons introduit sans rien dire le français dans les écoles. Ils ont laissé faire. Le français s'enseigne aujourd'hui dans toutes les écoles à côté de l'anglais. Les inspecteurs ne sont pas plus tapageurs qu'ils ne l'étaient dans Ontario il y a dix ans. Plus que cela, nous voulions avoir une école normale; l'enseignement du français n'est pas reconnu dans les écoles normales; nous aurions voulu demander au bureau des écoles de nous l'octroyer; nous ne l'osons pas. Les journaux anglais reproduisaient les mauvais discours de la province de Québec contre les orangistes et contre les protestants. Nous sommes tous solidaires.

Pourquoi tout ce bruit intempestif pour faire de petits héros locaux, de petits saints avec des niches particulières; pourquoi tout ce bruit qui recule vôtre cause et recule la nôtre. Prenons plutôt les moyens que je vous dis; avoir recours à la bonne volonté à l'estime de nos amis les Anglais. Nous n'avons pas même chez nous l'article 17, mais nous avons le français quand même, et nous avons l'estime de nos amis les Anglais qui ont la nôtre. Pour ce qui est de nos délibérations, jamais vous n'entendez un mot contre un Anglais ou un protestant; nous ne le tolèrerions pas. Malheureusement une certaine presse "castor" qui fait merveille, qui bat monnaie dans la province de Québec, commence à s'introduire chez nous, s'infiltre. On est impuissant contre certaines puissances. Si elle arrive à prendre le dessus malgré nos efforts, eh bien! avec ce qui se passe ici, que Dieu nous en préserve, mais les anciens troubles pourront recommencer, nous le craignons. Il ne le faut pas; il faut que la paix, la bonne entente universelles existent au Canada; il faut que les sacrifices qui se font ailleurs se fassent un peu ici.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POIRIER—Mine has been a plea for peace and good understanding between men who should understand one another, and who are deserving of all respect, who simply misunderstand one another because some Quebec papers republish exaggerated attacks in Ontario papers against the French or Catholic population, and representing thhose attacks as the embodiment of the views of those people towards us and the Ontario papers taking from our Castor press certain speeches and articles in response, and creating the impression that the French are hostile to the English. That must not and cannot be; it is not natural in this age of enlightment. I have been asking our people to cease their agitation and some of the notorious journals to make a truce for one year, because in consequence of this war we should make a sacrifice to promote good feeling. The Russians have abolished vodka and the French are doing away with absinthe; let us for one year do what is more difficult—eradicate, as much as we can, the ill-feeling engendered by those papers, and ask the extreme journalists on my side, if I may so say (though they are not on my side, thank God), to make a solemn engagement not to print for twelve months an article or an item against Orangeism, Orangemen, Protestants, and so on. I would make the same request of the Orange press, since Orangeism is the tête de Turc to the French, for one year; I would ask both to select, not articles which are offensive, but those which are complimentary. There are splendid traits among all of our people, and we know it. Anything pleasant, charitable, fraternal, and friendly that they can detect in those French papers, the Orange papers should publish, and we would see the effect of it after trying it a year. I am satisfied that there would be no need to resort to coercion for the settlement of our difficulties. The bulk of us are all right, and that portion of our population, both in Ontario and Quebec, that live upon dissensions—although many of them are acting in good faith—will have their eyes opened and find that the French are not bad, and that the Orangemen are most excellent people, as I myself have found out. When

those journalists will not do that of themselves, I have appealed to the subscribers to drop their papers. Speaking for myself, I pledge myself to send back any Catholic paper—even though it be printed in Rome—that may contain a single attack upon our friends the Orangemen. I will refuse it, though it be printed in Shediac, or by my best friend. It is peace we want, and to secure it we have to resort to means to bring it about. Ignorance is the cause of the bitterness that exists; it is because we do not come in contact one with another, because we do not show one another the best part of ourselves, when we come in contact with our people from Ontario, or they with our French from Quebec or New Brunswick. When they understand us they find us most excellent persons, with no hostile intent, and not as in the Middle Ages, wolves seeking occasion to devour one another. Just one instance, to show how easy it is to change a situation. Some ten years or more ago I was travelling in the province of Quebec with my hon. friend the present Minister of Militia, General Hughes. We were passing Joliette, a county where there are not ten English electors. It was on the eve of a general election. The people knew that Sam Hughes, as they called him then and call him now—possibly history to the most remote future will call him Sam Hughes—was coming, and gathered there. The train stopped. Mr. Hughes knew there was a gathering. He knew they were expecting a speech from him, and he prepared himself for the occasion; he was graciously received; he made a speech, told them things; he was witty; he is always witty, but he was very witty that time; among other things he told them that he had some French blood in him, that the best blood he had in him was that portion which was French. That tickled them, and they cheered him. Finally, one of them proposed that the local candidate should resign and that they should have Mr. Hughes as their candidate for Joliette, others responded and there was a clamour for Sam Hughes to come and accept the candidature for Joliette. Mr. Hughes told them that he regretted very much that he had already consented to run for another constituency, and the train moved on. But he confided to me that he was inclined to accept it, and that he thought he could handle singlehanded the county of Joliette. He might have. Hon. Gentlemen, that intercourse for only half an hour seemed to change the whole complexion of things. What would be the result if we were to come together more often in that fine spirit of fraternity, of camaraderie, and instead of trying to show up the dark sides of one another, we should simply show what magnificent elements exist in men of all nationalities, and especially the people of Canada. If we could cultivate that spirit, the bi-lingual question would soon be settled. I am sorry that almost a stigma rests upon Ontario, of being the only country in the world where French is prohibited.

That is a condition of things that does not do honour to Ontario as a province and should be done away with for good. English speaking people must know that it is impossible to abolish French, and that it is most important that they should learn the language. That fact is very apparent to-day in Europe, to all those who have travelled the world over, and all scholars and students of history. I will give another instance: England to-day speaks English, but do not forget that for 400 or 500 years English was not the official language of England, and that if William the Conqueror and his followers had followed the course that the Romans pursued with conquered nations, the likelihood is that to-day England would be a French-speaking country. For hundreds of years the teaching of English was formally forbidden in England under the most severe penalty. That prohibition aroused the people. There is energy, there is honour, and there are high, strong sentiments in the Anglo-Saxon nation, and instead of French continuing to be officially the language of England, as the Roman language continued to be the language of Italy, of Spain and of France, it was supplanted by English. It was through trying to force, by brutal methods and means, the French language upon such men as Robin Hood, and the Anglo-Saxon race, that the whole thing fell through and English prevailed. I would say to my friends from Ontario that if they want French to gain ground in Ontario then to continually persecute; history shows that their efforts will fail. But if you do so you will cease to be Britons or true to British traditions.

Hon. Mr. COSTIGAN—I cannot forget that when I was elected in the county of Victoria, and went to New Brunswick, I found the late Hon. Francis McPhalen, P.O., there from the county of Kent, and I knew that he was supported by the

French Catholics in that county. Afterwards Mr. Sutton was elected and came in, and he got the French vote in Northumberland county from which he came. I think afterwards the Hon. Mr. Adams, who was later a member of this Chamber, succeeded him as Surveyor General. I know that a very prominent Liberal, the late Mr. Anglin, was elected in St. John with King Corum, at the time a leading Orangeman, but he never could be elected there again, and where did he go? He went to Gloucester, one of the largest French counties in the maritime provinces, and was received there with open arms, and elected by a large majority. I have through all my life tried to promote the interests of the French people, and I would be ungrateful if I did not reciprocate their kindness on account of the support they have given me so long, having kept me in public life. I never knew an Irishman on either side of politics in our province to succeed in politics who had not the support of the French electors behind him, and therefore I must vote for the motion of my hon. friend and endorse the remarks of the hon. member from Russell (Hon. Mr. Edwards), who paid such a compliment to the mover and seconder of the motion for their moderation in speaking to the motion. Of course the friction is not between the Ontario Government and the French people so much as it is between my countrymen and the French people, and that is what I regret so much, because I hold—and I hope to die under that conviction—that if the French Catholics and the Irish Catholics were united and worked together, no Government would be powerful enough to put them down or to refuse any reasonable request they made. The great trouble I have found appears to be as to the extent to which the French language should be taught. I could not follow the mover in his address, nor could I follow my hon. friend from Shediac, who has last spoken, on account of my imperfect hearing, but the great trouble among English-speaking Catholics (and I have heard complaints from them), is that the French demand that their language should be taught daily in the schools. I recognize the propriety of teaching the English language to the French children in their mother tongue. I think they can learn better that way than in any other. I also recognize that English Children should be taught in their mother tongue, and if I can do anything at all to bring about harmony between these two races, I will do it. The motion is a reasonable one, and I would be most ungrateful if I did not support it. We had the same difficulty in New Brunswick some time ago, and I can say now, without fear of contradiction, that it grew out of the non-appointment of an Acadian priest in our province as Bishop. After Bishop Leblanc, an Acadian priest, was appointed Bishop for the diocese of St. John, and I can say that Bishop Leblanc is as popular and respected and esteemed by the Irish Catholics of St. John to-day as by the Frenchmen themselves in any portion of his diocese, all that friction disappeared, and if a similar policy is pursued here, I hope yet to see this unfortunate difficulty which exists to-day in Ontario amicably adjusted.

Hon. Mr. COSTIGAN.

Hon. Mr. CHOQUETTE—I move the adjournment of the debate.

The motion was agreed to.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Thursday, March 18, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

ONTARIO BI-LINGUAL QUESTION.

A QUESTION OF PRIVILEGE.

Hon. Mr. EDWARDS—During my remarks Tuesday night I was asked by an hon. gentleman to give the name of the writer of the last letter which I read. I stated that I would ask permission of the gentleman to use his name, and I give the name now. It was Mr. M. C. McGrath, Chairman of the International Waterways Commission.

IMPORTATION OF AGRICULTURAL IMPLEMENTS.

INQUIRY.

Hon. Mr. DAVIS inquired of the Government:

1. What was the total importation of 7- and 8-foot binders from the United States in the year 1911, at the port of Winnipeg, giving the number separately of each size?
2. What was the total amount of duty collected on same?
3. What was the total importation of 7- and 8-foot binders from the United States in 1914, giving the amount separately of each, and

what was the total amount of duty collected on same?

4. What was the total importation of farm wagons with their out box, giving number in each case from the United States in 1911, and what was the total amount of duty collected on same?

5. What was the total importation of farm wagons with their out box, giving number in each case, from the United States in 1914, and what was the total amount of duty collected on same?

Hon. Mr. LOUGHEED—The Department of Customs has suggested that my hon. friend should convert this into a motion for returns, as it is necessary to make a re-compilation of the information that my hon. friend seeks. If we let it stand as a motion for a return, I shall endeavour to obtain the information.

Hon. Mr. DAVIS—My hon. friend knows that the close of the session is in sight—at least we all think so, and if I let this inquiry drift into a motion for a return, I shall not obtain any information about it. I have asked the question in three different ways, and I cannot get any information. Surely it would be easy enough for the Customs Department to tell me how many binders were entered in the Winnipeg Customs House. They must have that information, and if they have any kind of book-keeping the figures could be furnished. I asked a similar question the other day but could get no information. They told me they did not fix any valuation. I want to find out how much the average farmer has to pay on a seven or eight foot binder at the present time. The inquiry is quite simple and they can answer it if they wish. If they do not wish to answer it, all right.

Hon. Mr. LOUGHEED—I do not put it in that way at all. The Department of Customs states that a fresh compilation will have to be made in order to obtain this information. It necessarily will take some time, and I think the preparation of a return should not take any longer than the furnishing of the information. One is practically the same as the other. However, I shall make further inquiries.

Hon. Mr. DAVIS—Let it stand and see if they can supply the information.

The notice was allowed to stand.

OPERATION OF TERMINAL ELEVATORS.

MOTION FOR RETURN.

Hon. Mr. TALBOT moved that on Order of the Senate do issue for:

1. A return showing the results per grade of all grain in each of the terminal elevators at Fort William and Port Arthur at the annual weigh-up for each of the years 1912, 1913 and 1914.

2. A return showing the balances whether overages or shortages in each grade in each elevator for each of the said years.

3. A return showing the net result of the three years operations of each of said elevators in overages or chortages in each grade.

The motion was agreed to.

RESCISSION OF VOTES OF THE SENATE.

MOTION.

Hon. Mr. POWER moved:

That the Committee on Standing Orders have power to prepare a rule or standing order dealing with the subject of the rescission of votes of the Senate, and also such other amendments to the existing rules and standing orders as may be deemed desirable; such committee to report to this House at their earliest convenience.

He said: There is nothing very urgent in this motion but it is somewhat important. As it is now, a resolution may be passed by this House when the House is full, and two days afterwards, if the House happens to be very nearly empty, that resolution may be rescinded. That is not a desirable condition of things, and it is a condition that does not prevail in most other places. I do not propose to trouble the House with any lengthened observations on the subject but I wish to say that my object is to have a standing order dealing with this question of rescinding votes similar to the standing order which they have in the Senate of Australia. For the information of hon. gentlemen I shall read the standing orders they have there dealing with this question:

Standing Order 126. No question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative unless the order, resolution, or vote on such questions or amendment has been rescinded.

Now, we have a provision that no Bill substantially the same as a Bill which has already been dealt with shall be introduced, but we have no provision as to any questions or amendments. Then their rule 127 reads as follows:

Rule 127. An order, resolution or other vote of the Senate may be rescinded, but no such order, resolution or other vote may be rescinded during the same session unless seven days' notice be given and at least one-half of the whole number of senators vote in favour of its

rescission, provided that to correct irregularities or mistakes one day's notice only shall be sufficient.

Hon. Mr. LOUGHEED—Will my hon. friend be good enough to point out to us the distinction between the last rule he read and the first one?

Hon. Mr. POWER—The substance of the first rule which I read is that the same question is not to be again proposed during the session unless the previous resolution has been rescinded. Then the second standing order that I read shows how the vote may be rescinded, and opens the way for a further consideration of the question.

Hon. Mr. CLORAN—Before the motion is carried I should like a little information on that point. Are not our present rules and regulations sufficient for the purposes of this Parliament?

Some hon. GENTLEMEN—No.

Hon. Mr. CLORAN—I think they are. They have been sufficient up to the present day, and I do not see any necessity for a change. We ought to be very chary in remodelling our rules, going down to the Antipodes for examples. We did remodel them in the past under certain compulsion, when the power of the House was taken out of the hands of the senators, in regard to criticism or in regard to points of order, and placed in the hands of one man whom we have as Speaker. While that was not strange at the time, it has not worked out in the best interest of debate. This House has the peculiar honour of having no Speaker to call it to order except on the order of the House, and any speaker in this Senate should only be called to order by the House itself and not by any one official of its staff.

Hon. Mr. DANDURAND—That was the old rule.

Hon. Mr. CLORAN—That was the old rule, and it was the proper rule, and it was changed to meet certain conditions. I happen to be one of those who forced the conditions on the consideration of the House at that time. Now, of course, I can evade these new regulations just as well as I kept the old ones, so I fail to see the necessity of changing our old established rules and regulations that have worked so well up to the present time. This motion, to my mind, leads to what is called choking off debate. As I understand it, no question can be put a second time in this House of Parliament unless consented to by a majority of the House—not of those in attendance, but of the House. To my mind that would be tantamount to choking off debate and putting the light out for ever. If a question has been put at the early stage of the session and has been either fairly or unfairly answered, or incompletely dealt with, that should be no reason, and cannot be a reason to intellectual people, for saying that at the middle or end of the session the same question could not be put again, and that further light, new light could not be thrown upon it. The Senate should not be asked to do this thing any more than what it should have done four or five years ago—put the power of the House in the hands of one of the staff of the House. That was self-denial in its extreme form. Under the circumstances I would ask hon. senators to consider this matter before casting votes without knowing what they are doing.

The motion was carried on division.

DOMINION GOVERNMENT OFFICIALS IN ALBERTA.

MOTIONS.

Hon. Mr. DE VEBER moved that an Order of the Senate do issue for:

1. A return showing all appointments to the customs in that area contained in the present constituencies of Medicine Hat and Macleod, giving names, date of appointment, how appointed and salaries, from the year 1896 to the present date.

2. Also, all vacancies by death, resignation or dismissal, giving name, date, length of service and cause of dismissal in the same area and during the same period.

The motion was agreed to.

Mr. DE VEBER moved that an Order of the Senate do issue for:

1. A return showing all appointments to the Civil Service, Department of the Interior, in that area contained in the present constituencies of Medicine Hat and Macleod, giving names, date of appointment, how appointed and salaries from the year 1896 to the present date.

2. Also, all vacancies by death, resignation or dismissal giving name, date, length of service and cause of dismissal in the same area and during the same period.

The motion was agreed to.

Hon. Mr. DE VEBER moved that an Order of the Senate do issue for:

1. A return showing all appointments to the Civil Service, Postal Department, in that area contained in the present constituencies of Medicine Hat and Macleod, giving names, date of appointment, how appointed, and salaries from the year 1896 to the present date.

2. Also, all vacancies by death, resignation or

dismissal, giving name, date, length of service and cause of dismissal in the same area and during the same period.

The motion was agreed to.

HOMESTEAD INSPECTIONS.

Hon. Mr. DAVIS—I should like to call attention to an answer given by the hon. leader to a question I put to him as to the number of homestead inspections that were made from 1911 to 1914. The answer gives me the number of inspections made in 1914, but does not give the inspections made in 1911. The answer says that the returns are kept in the various land offices in the West during 1911, and are therefore not available at the present time. I desire to draw attention to the fact that when a homesteader makes an application to have an inspection of his homestead, the inspector makes that inspection, and reports on it. That report is transmitted to Ottawa to the office of the agency in which he is working, so that there are no inspections made of which a record is not kept in these offices. There cannot be, because after the inspection is made and the report comes in, the Government decides whether the homesteader has performed the duties necessary in order to get a patent. If he has performed those duties, then he obtains a patent, and if not the report goes back and he is told what to do. I cannot understand how it comes they have not the record of the inspections made in 1911, and I ask my hon. friend to draw attention to the fact that there must be an oversight in drafting that reply. They probably forgot it.

Hon. Mr. LOUGHEED—I shall be glad to do so.

THE SEAT OF SENATOR ROBERTSON.

Hon. Mr. CLORAN—I should like to ask His Hon. the Speaker what has become of the report of the general committee of the House which sat some three or four weeks ago in regard to the seat of Dr. Robertson of Prince Edward Island. I have not seen it before the House. I ask His Hon. the Speaker because he is the only one in the Senate who is supposed to know. It is not a Government or an Opposition matter.

The SPEAKER—If the hon. gentleman wants to avail himself of his right I suppose he will allow me twenty-four hours before giving an answer.

Hon. Mr. CLORAN—Certainly. If the report of the committee has gone astray His Hon. the Speaker must find it.

The SPEAKER—I was not present at the time. I was attending the funeral of the late Lieutenant-Governor of Quebec.

Hon. Mr. CLORAN—His Hon. the Speaker is responsible for the actions of the committee.

The SPEAKER: I am not ready to answer; I will study out the question.

THIRD READINGS.

Bill No. 2, An Act to amend the Independent Order of Foresters Consolidated Act.—Hon. Mr. Corby.

Bill No. 16, An Act respecting The Title and Trust Company, and to change its name to Chartered Trust and Executor Company.—Hon. Mr. Edwards.

Bill No. 42, An Act respecting the Canada Preferred Insurance Company.—Hon. Mr. Bostock.

Bill No. 45, An Act respecting The Vancouver Life Insurance Company.—Hon. Mr. Bostock.

Bill No. 52, An Act to incorporate Marcil Trust Company.—Hon. Mr. Dandurand.

Bill No. 59, An Act respecting the Empire Life Insurance Company of Canada. (As amended).—Hon. Mr. Kerr.

Bill (F), An Act respecting the Edmonton, Dunvegan and British Columbia Railway Company.—Hon. Mr. Talbot.

Bill (8), An Act respecting the Edmonton, Dunvegan and British Columbia Railway Company.—Hon. Mr. Talbot.

SECOND READINGS.

Bill (I), An Act for the relief of Lottie Thorndike.—Hon. Mr. Derbyshire.

Bill (J), An Act for the relief of Arthur Ernest Birdsell.—Hon. Mr. Ratz.

Bill (K), An Act respecting a patent of John Millen and Son, Limited.—Hon. Mr. Derbyshire.

Bill No. 20, An Act respecting The Canadian Northern Railway Company.—Hon. Sir Melvin Jones.

Bill No. 49, An Act respecting The Calgary and Fernie Railway Company.—Hon. Mr. De Veber.

Bill No. 50, An Act respecting The Canadian Western Railway Company.—Hon. Mr. Watson.

Bill No. 52, An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.—Hon. Mr. Casgrain.

Bill No. 54, An Act respecting The Toronto Terminals Railway Company.—Hon. Mr. Kerr.

Bill No. 60, An Act to incorporate Entwistle and Alberta Southern Railway Company.—Hon. Mr. Pope.

Bill No. 61, An Act respecting The Simcoe, Grey and Bruce Railway Company. —Hon. Mr. Taylor.

Bill No. 62, An Act respecting The Bank of Alberta.—Hon. Mr. Talbot.

Bill No. 65, An Act respecting The Toronto, Hamilton and Buffalo Railway Company.—Hon. Mr. Taylor.

BILL INTRODUCED.

Bill (N), An Act respecting the Canadian Northern Provident Insurance Company.—Hon. Mr. Watson.

UNEMPLOYMENT IN CANADIAN CITIES.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Honourable Mr. Bostock:

That he will call attention to the condition of employment at present existing in several cities throughout Canada, and will inquire if the Government are taking any steps with a view to dealing with the situation.

Hon. Mr. DAVIS said: In discussing this subject which has been brought before the House and the country by the hon. leader of the Opposition in this House, I think this is one of the most important propositions that has been brought before us, not only this session, but for a great many years. We know, as a matter of fact, that all the large centres from the Atlantic to the Pacific, are overcrowded with people looking for employment. Not only does that apply to the very large cities, but it applies also to good-sized towns. Hon. gentlemen will say, how does it come, in a country with sufficient resources to support a population of 60 or 70 millions of people, in which we have only some seven million people, that there should be such a large amount of unemployed walking the streets of the cities, at the present time. We must come to the conclusion that something is radically wrong. We must ask ourselves is it a fact that all branches of industry, including agricultural, all over the country, are overcrowded as far as labour is concerned. We must come to the conclusion they are not. The over-crowding of the cities has been going on for a long time. Men have been brought in here from the older countries, from all over Europe, artisans and others, and have been allowed to drift into the country, without any knowledge of whether there is sufficient labour in the cities at that time or not, or whether there is any employment for them. They has never been any intelligent move made, or any intelligent organization undertaken, for the purpose of looking into that matter, and seeing that these people are sent to places where they are required, and not sent to over-crowded places where they are not required. There is a tendency to over-crowd the cities, and we know that, as a matter of fact, for years the young men, and in many cases the young women, of our country, drift to the white lights of the city, as a moth is attracted to the candle, and as the moth's wings are very often burned, so it is with many young people who drift into the cities from the agricultural districts. Farm work at one time was very laborious, and did not appeal to young men; but of late years that has all been changed, because with the invention and introduction of modern machinery of all kinds on the farm, the introduction of telephones, electric cars, and in very many cases of automobiles, and other modern inventions, farming to-day is not what it was thirty or forty years ago.

It should be as attractive as life in the city, and it holds out greater possibilities to the young of the country than any other occupation. Nevertheless, the fact still remains that they continue drifting to the cities. Let me point out first that this drift has been going on in our own land, from the country districts into the cities, that is stream No. 1. The other stream has been flowing from the immigrant ships. The influx of to-day is not what it was forty years ago, and its movement is into the cities. Thus there are two streams flowing in and there is no outlet. If you run two streams into a lake without an outlet, the lake will soon overflow, and it is just the same with labour; the labouring element has been running in from both sides, and there has been no intelligent control or effort to direct it in a right manner and to fill the vacancies in the agricultural districts. Many hon. gentlemen besides myself have gone through some of the large cities and observed the civic works carried on there, where many men are employed by city corporations digging and shovelling, and they keep on digging and digging and never get ahead. Those men, if attracted to the rural districts and placed on land as

agricultural labourers, would be thrifty, would save their wages, and in a few years would go on land of their own and become valuable producers. As they left their employers to occupy land of their own, their places should be supplied by the same class of labour. Up to the present, however, there has been no intelligent way of handling this labour. It has been happy-go-lucky; people get off the immigrant ship and go where they please. Very often they go to the big cities and seek employment at the employment agency. The employment agent is looking for money; he gets his fee and sends them away some place where farmers want to employ workers on their farms. It makes no difference to the labour agent whether the man is suitable for farm work or not, he is sent out to the country and probably is not accepted. Then he drifts into the city, or if he stays on the farm, it takes two or three of such men to replace one experienced man, or perhaps the farmer's son, who has drifted into the city. If we had a proper immigrant system all over this country from the Atlantic to the Pacific where farmers could go and make their wants known, and at the same time where people coming in could apply for work, the Government selecting them and having them ready to send out to different points, the agencies being in the hands of Government officials, we would find a great change. We would not have the crowds of unemployed that we have at present. There is no use bringing in carpenters and bricklayers where already there are more carpenters and bricklayers and artisans of all kinds than are required. When there is no work that they can get, they simply have to join the great army of unemployed. Efforts have been made in this country for some time to have this matter taken up and dealt with by the Government as a national proposition by opening some kind of a national bureau with branches in all the large centres distributed over the country where they would be in touch with every interest, agricultural, manufacturing, and every other. Such an institution, with the proper selection of immigrants coming into this country, would insure the right parties being sent to the proper places, and we would feel the benefits of it at once. I do not know why the Government has done nothing up to the present time to introduce such a system into the country. They have a labour exchange in England which has been very successful, and I understand they have similar systems in France, Germany, the Argentine Republic, Spain and many other countries. From the reports of the United States Commissioners I observe it will not be very long until they will have the same system in the neighbouring country. Let me read briefly the report of the Commissioner General of the United States on this very point. Talking about employment agencies, he says:

> The Division of Information believes that every private employment agency, every agent for a corporation, and every other person directing men to employment across State lines, should be subject to the supervision of this division.

That is, the labour division over in the Immigration Department. He continues:

> A Federal Weather Bureau, receiving its information from many sources throughout the world, is enabled to inform the inhabitants of the United States of coming storms and other changes in the weather. The work of the Weather Bureau was not deemed necessary at first and not appreciated until long after that bureau was in operation. It is just as important to all the people of the United States, and more especially the working people, that changes or coming changes in industrial life should be speedily and accurately recorded.
>
> The division wishes to commend the New York branch for the effective and practical manner in which not only admitted aliens and other residents are directed to opportunities for employment, but also for the assistance it thus renders employers of agricultural and common labourers in obtaining necessary additional help. Before this report goes to press the New York branch of the division will have moved to quarters in the new United States Barge Office, Battery Park, near South Ferry, New York city, and it is believed that the facilities afforded by the new location will increase the usefulness and efficiency of that office.
>
> There should be a branch of the Division of Information in every industrial centre in the United States. Through co-operation with the Post Office Department this can be sucessfully done and without great expense.
>
> The Division of Information can at the present time, through the assistance renderd by the Post Office Department, state the labour requirements of the farmers of the United States. A system of postal-card inquiry, inaugurated some years ago, enables the division to keep in touch with agriculturists, and details of their wants may be made known to applicants for positions on farms.

That goes to show that they have already adopted practically that system of a national bureau in the United States. At least they have taken it up in connection with their labour system there, and the immigration division sees that immigrants are selected and sent out to different parts of

the country where help is required by farmers and others outside of the large centres. I have the Board of Trade Gazette here from the old country. It shows the amount of registration for a year, the number of juveniles and adults, etc., and gives the grand total of the people the bureau has looked after in different parts of the country; also the number who have applied for work, and it shows that a vast amount of good has been done by this bureau in England in getting work for the unemployed. Of course, it is a different proposition in this country. England is a small island, which could be lost in some parts of this Dominion, while it has a population of nearly fifty millions; hence their labour problem is entirely different from ours. We have long distances between east and west, and all our immigration is coming in on the eastern sea-board. In the West, we know what we need, but we have not means of communicating our wants and having them supplied, because there is no organization to do it, and up to the present time the Government has not seen fit to take the matter up. New Zealand is away ahead of us on this question; they seem to have gone into this matter, and their report says:

> The year just passed may best be described as being a normal one. There has not been any undue fluctuation in trade, and, generally speaking, all branches of industry have been steadily busy. Skilled tradesmen have been well employed, and the ironworkers who suffered a slack season in 1910, had a rather better year, although this trade still seems to lack bouyancy. Cabinetmakers and some of those connected with the building trades—notably plumbers, painters, bricklayers and plasterers—had a fairly full year's employment, and there has been less complaint from carpenters on the score of lack of work during 1911-12 than during the previous year. Unskilled labour, too, has had a fairly good year, and it was noticeable that the winter months passed away without any congestion of unemployed being reported in any part of the Dominion.

Mark that.

> The total number of men assisted by the department shows a considerable decrease over 1910-11; in that year 7,102 were sent or assisted to employment, as against 5,735 in 1911-12, a decrease of 1,367. Of this number 1,407 were married and 4,328 were single men and widowers.

It goes on and gives the number of people who sought positions, the number for whom they provided positions, and the parts of the country where they were sent, giving the particulars of occupations and everything. That is the intelligent way to deal with this question. New Zealand has it and Great Britain has it. In Great Britain the system is working very smoothly and very nicely. I have here the report of the Labour Exchanges showing the operations of the Board of Trade for 1912, the plan of insurance and so on. It gives the list of people who have applied to the bureau for positions, the number of both sexes for whom they have been able to get employment, and it is a very satisfactory record indeed. Now, coming to the question as to why we have no such system here, the explanation is very simple. I have the English Act here, the Labour Exchanges Act of 1909. That was passed six or seven years ago; we have had time to study this question and find out whether it would be a good thing for us to have such a system here, but up to the present time nothing has been done. This measure is described as "An Act to establish Labour Exchanges and other works incidental thereto." Similar legislation could be passed here very easily, and in its operation would be found to be very beneficial. Now, why have we not had such a system here? Have the people asked for it or have they not? To my knowledge petition after petition has been handed into this House from organized bodies all over the country, people who should know whereof they speak, asking for the establishment of a labour bureau. In one case somebody said that one of the labour unions in the city of Halifax had twice pronounced in favour of this but had afterwards gone back on that position. I want to say that that is a mistake; they did not go back on it; they merely withheld judgment as to whether it would be better to have a national labour bureau or a system worked by municipalities, or the provincial government. In a country like Canada, a labour bureau such as we require must be a national one in connection with the Immigration Department. For the purpose of economy it could be operated through postmasters or officers of the Immigration Department. There is not a town out West where the Immigration Department has not a man looking after the immigrants and those intending to come in, and it would be very easy to work this bureau in that way without a great amount of expense; or they could do it, as it is done in other countries, through the Post Office Department; but this Government has taken no action, and I do not know why. They do not appear to wish to take action in the matter, although there are petitions enough calling for action. I will give you a list of a few petitions that have been presented to Parliament:

Montreal—Mayor and aldermen, Trades and Labour Council, Civic Improvement League, the Bishop of Montreal, Dr. George Adami and other leading citizens. Signatures secured by secretary Builders' Exchange.

Toronto—Bishop of Toronto, Dr. Chown, head of Methodist Church in Canada; secretary Social Service Council and representatives of about 30 bodies. Arrangements for signatures in hands of bishop.

Guelph—Provincial M.P., Trades and Labour Council and other citizens. Signatures secured through Provincial M.P.

Winnipeg—Winnipeg City Council, Winnipeg Board of Trade, Trades and Labour Council. Signatures secured by secretary Builders' Exchange.

Regina—1,000 signatures representing all classes. Arrangements made by Professor Andrews and the Bishop of Saskatchewan.

Prince Albert—The Mayor, Board of Trade, Bishop of Saskatchewan. Arrangements through the Bishop of Saskatchewan.

Edmonton—Ministerial Association. Arrangements through Mr. Davidson, Civic Welfare League.

Ottawa—Mayor and corporation, presidents of the Board of Trade, Builders' Exchange, Canadian Club, Canadian Federation of Labour, St. Jean Baptiste Society, Sons of England, Ministerial Association, the Archdeacon of Ottawa, Secretary Canadian Lumbermen's Association, etc., etc.

Those are petitions that have been presented either to the other House or this House. No answer has been made to them, that I know of—no intelligent answer at least. No reason has been given why the Government have not gone on with it. I have a list here which I need not read, giving the bodies that have asked the Government to have this done. I have the report of some of the labour organizations and others here also. Here is a report of the New Zealand Department of Labour, which says:

> One of the chief reasons for the department's establishment was to cope with the "unemployed" which, when the department was first instituted, were very numerous, especially in the chief towns of the colony. On persons presenting themselves for engagement their names are entered in a register, together with particulars as to age, number of dependent, family, time out of work, occupation, etc. In addition to the bureaux in the four chief centres agencies were established in every town and village, and for economical reasons the officers were selected from those already in the Government service, principally sergeants and police constables, as these officers are thoroughly acquainted with the needs and capabilities of the population surrounding them.

That is in line with what I said we should do or establish here. Coming back to the question of those who have asked for this, I have the proceedings of the Sixth Annual Convention of the Canadian Federation of Labour, held in Toronto, September, 1914. They say:

> In view of the prevailing unemployment with increasingly acute conditions threatening during the winter, also, the lack of reliable machinery for distributing work; be it resolved, that we ask the Federal Government to pass the promised Free Labour Bureau Bill the beginning of next session, including in its clauses the provision for advisory committees representing municipal authorities, employers and workers attached to each labour bureau centre.

I have here also the Associated Boards of Trade for Eastern British Columbia, representing all the commercial interests of the whole province of British Columbia, as I understand it. They took up the question of the establishment of a public labour bureau, and this is their report on it:

> This is a resolution petitioning the Dominion Government to establish a Government system of public labour bureau, similar to those in vogue in many countries. This is a worthy object and one to my mind, that should be strongly supported. It might be the means of bringing the employers in touch with each other, serving as a common meeting ground. It would bring about more or less, the classification of the workers so the sober and industrious man can be easily obtained instead of a drunken, shiftless, time-serving applicant.

Just along the line that I have mentioned. It is a long report, which I need not read, but I have given enough to show that the Eastern Boards of Trade in British Columbia approve of this legislation.

I have here a list of persons and organizations endorsing the establishment of a Federal labour bureau system for Canada as follows:

Provincial Premiers.
Alberta Legislature in committee.
Ontario Cabinet.
Agricultural and Colonization Committee of Commons.
Associated boards of trade for Manitoba, Saskatchewan and Alberta.
Associated boards of trade for Okanagan Valley.
Affiliated boards of trade for British Columbia (E.)
Canadian Lumbermen's Association.
Mountain Lumber Merchants Association.
Union of Alberta municipalities.
Union of Ontario municipalities.
Social Service Congress.
Retail Clerks' Association.
Canadian Federation of Labour.

Dominion Trades and Labour Congress, president.
Guelph civic authorities.
Guelph Trades and Labour Council, per petition.
Montreal Builders Exchange.
Montreal Civic Improvement League.
Montreal mayor and altermen, per petition.
Montreal Trades and Labour Council, per petition.
Associated boards of trade for Ontario, two endorsements.
Ontario Provincial Builders Exchange.
Prince Rupert Board of Trade.
Victoria Builders Exchange.
Vancouver Builders Exchange.
Revelstoke Trades and Labour Council and other labour bodies.
Calgary Board of Trade.
Calgary Builders Exchange.
Medicine Hat Builders Exchange.
Lethbridge civic authorities.
Saskatoon civic authorities.
Regina, 1,000 signatures to petition.
Brandon board of trade.
Minnedosa civic authorities.
Winnipeg Builders Exchange.
Winnipeg City Council, per petition.
Winnipeg Trades and Labour Council, per petition.
Haileybury Board of Trade.
Hamilton Trades and Labour Council.
Toronto Board of Trade.
Toronto Builders Exchange.
Toronto Social Service Council, president and secretary, and many other organizations per petition.
Moncton Board of Trade.
Halifax Mechanical Constructional Trades Exchange.
Ottawa civic authorities, two endorsements.
Ottawa Board of Trade.
Ottawa Builders Exchange.
Sons of England.
St. Jean Baptiste Society.
St. George's Society.
Orangemen.
Y.M.C.A.
Devonian Club.
Old Countrymen's Club.
Overseas Club.
The presidents of Toronto and McGill universities.

After taking comprehensive evidence on the subject, the Labour Committee of the Senate recommended that 3,000 copies of it be printed, which was approved by the Senate during the session of 1914.

Hon. Mr. DAVIS.

Just come in:—

Telegram from Canadian Club, Victoria, B.C., asking legislation this session.

Petition from Winnipeg Board of Trade.

I have a copy of petition here, addressed, I think, to the Senate and the House of Commons, signed by representatives of the leading towns of the Dominion, asking the support of both parties for passing a Labour Bureau Bill. It will be sent to both Houses this week. It is a circular asking that some consideration be given to this measure, and reads as follows:—

1. At the International Congress for Combatting Unemployment held in Belgium in 1913, at which twenty-three municipalities, labour, philanthropic and socialistic bodies were represented, after two week's debate, it was unanimously accepted that national government labour bureaus are an indispensable factor in State administration.

2. At the close of the Spanish American war, the United States of America Government were forced to keep all their returned troops for over four months in idleness, owing to lack of machinery for putting them in touch with suitable employment.

3. The Secretary of Labour writes from Washington under date of the 3rd ultimo that the Department of Labour has established zones throughout the United States of America for bringing together those in search of employment and those in quest of help, and that the Departments of the Post Office, Agriculture and Immigration are co-operating with the Department of Labour in this work.

4. The Canadian Federation of Labour passed a resolution asking the establishment of the system at this meeting in September, 1914.

The Dominion Trades and Labour Congress of 1914 passed a unanimous resolution calling for reforms in the present immigration methods, these evils can only be eradicated through the machinery provided by the Labour Bureaus.

5. Evidence was taken on the subject by the Senate Labour Committee and Agriculture and Colonization Committee of the Commons, both bodies approving the reform.

Mr. W. D. Beveridge, general manager of the British Labour Exchanges, referring to labour bureau systems in his work on employment, writes as follows:

"They are an instrument in the process of being perfected, rather than one in full use, yet no one can doubt they have come to stay and to grow as the many services they may render come to be more fully recognized, . . . It is very generally realized that to put on the individual workman the whole burden of finding and following the ever shifting market for his labour is to leave to isolated action a matter that cries out for organization, and that in regard to every other commodity in the world has obtained full measure of organization. Everything else that is bought and sold has its known marts, labour alone is still blindly hawked from door to door and town to town. The isolated search for work, it is argued is demoralizing to the individual as well as economically wasteful. . . . Industrial crises cannot be safely met by emergency measures unless the State is provided with an accurate and

automatic indication of the beginning, existence and ending of these crises."

The lists enclosed of countries where labour outset of the war carried through far-reaching with those of persons and organizations in the Dominion endorsing the establishment of a national system, are sufficient reasons for asking your vigorous efforts in securing the passing of the Bill this session.

The British and French Governments at the outset of the war carried through far-reaching financial and other practical measures to counteract unemployment and avertible suffering throughout the community.

N. J. Garland,
Ottawa Board of Trade.
C. G. Pepper,
Canadian Federation of Labour.
J. S. Adamson,
Ottawa Builders Exchange.
Auguste Lemieux,
C. W. Bullock,
E. St. John Wileman.

If we go into this matter, and find the number of bodies, who should know what they are talking about, trades and labour people and so on, asking for certain things, we come to the conclusion there must be something in it. The people have asked for a Labour Bureau. The farmers are in favour of this bureau. Everybody who has been interviewed in reference to the matter, who knows anything about the subject, has been in favour of the establishment of this bureau, and even the minister, Mr. Crothers, in charge of the Labour Department of the Government, was in favour of it. He actually went over to the Old Country, spent some time there investigating and looking into the work of the labour bureau in Great Britain, that he might see what he could do on his return in reference to getting one started here. He gave an interview to the Journal, in which he outlines what he was going to do. However, he changed his mind. When asked what he was going to do about it, he told the people he was not going to do anything. I have a statement here of the number of times he has been interviewed. I do not understand why he has not gone on with it when he appeared to be strongly in favour of introducing the system here. He has been interviewed by large delegations, and, when he was away, the Hon. Mr. Doherty, Minister of Justice, who was acting Minister of Labour, was interviewed several times by bodies of people interested in this subject, and promised to give it his best consideration. He spoke in a manner which would lead the parties interviewing him to believe that he was in sympathy with them, and would do his best to have the matter brought to the attention of the Government, and that it would be gone into and legislation would be passed which would bring the bureau into existence. I think the department of Labour should take it up. They surely have the Government behind them. It is a measure which should have been passed long ago. They must know they have no proper system of selecting immigrants coming into this country. They are accountable, to a certain extent, for the overcrowding into the cities of people who should not be there. You find men working in the cities who should be on the farm, and men on the farms who should be in the cities. With any intelligent system of distributing the immigrants coming into the country this would not be the case. You would have people who are adapted to farm life placed on the farm, and people who are not useful on the farms retained in the cities. Such is not the case now. A labour bureau would be a protection to these people because employment agents would not be allowed to rob them and send them to jobs for which they were not fitted. If you had a Government bureau an unsuitable man would not be sent out, he would be sent where he would be suitable. I think the Government should reconsider this matter. It would not take long to put legislation through. The bureau could be run in connection with the Immigration Department, the Land Department, or the Post Office Department, without any great expense. The Post Office Department would be the better way, because there are post offices in all the rural districts. It could be managed through their post office better than any other way. The question is what are you going to do with people who have no money to get out to seek employment? They are here on your hands. I do not claim that the establishment of a labour bureau would find work where there was no work, but it would put the right men in the right places. If the Government took hold of this, and the people in the rural districts knew that they were dealing with the Government and getting what they wanted in the shape of labour, they would have no hesitation in advancing the fares. They would have confidence that the bureau would not send them men who would be useless. There would be no trouble in financing the project. I do not know of any one who is against this project except the Minister of Labour, and I do not know why he is antagonistic.

Hon. Mr. DAVID—I think the remarks of the hon. senator from Prince Albert de-

serve the attention of the Government. I have studied this question to a certain extent, and I am sure if the Government thought proper to take action in the line indicated by the hon. gentleman from Prince Albert, they could do nothing that would be more in the interest of the country.

Hon. Mr. LOUGHEED—It is only right that I should make a few remarks upon the subject which has been brought to the attention of the House by my hon. friend the leader of the Opposition. The discussion of this subject has divided itself into two divisions, one being the question of unemployment, and the other the question of labour bureaus. One would imagine from what my hon. friend from Mille Iles has just said, that the attention of the Government had never been directed to the question of unemployment and the other the question of labour bureaus. I can assure my hon. friend that no more serious attention has been given by the Government to any question during the last six months than the question of unemployment with which they have been confronted. In dealing with the question of unemployment we are dealing with economic conditions, that face the Government, and society, in times of prosperity as well as times of adversity. When war was declared the Government was impressed with the fact that the question of unemployment, which was then accentuated by the financial depression upon which we had entered, would be one of the most distressing questions with which we would be called upon to deal. The Government at once placed its machinery in motion to grapple with the subject, and approached the various provinces of the Dominion as to the assumption by those provinces of that portion of the obligation which they should assume. The provinces of the Dominion do not deny their responsibility to deal with the question of unemployment. It is not one peculiar, or at all germane to the authority or the powers exercisable by the Dominion Government. It is peculiarly a subject coming within the authority of the different provinces. Upon the declaration of war being made, the Minister of Labour at once got into communication with the different provinces of the Dominion, and received most satisfactory responses from them as to their willingness to enter upon the obligation which properly appertains to them. We received assurances that they would endeavour in every possible way to alleviate the distress and suffering which must necessarily flow from the unemployment that would be thrown upon them during the war. Those responses came from the provinces of Ontario, Quebec, Manitoba, Alberta, and from some of the Maritime Provinces, and from that time down to the present the provinces of the Dominion have been exercising all reasonable efforts, I think, to meet the peculiar situation with which they were faced. Now to meet this question is not an easy matter. My hon. friend from Prince Albert, with the mind of an idealist, can readily point out what should be done, but when we are facing a crisis of, not our own affairs, but of international affairs throughout the whole world, the greatest that has ever been precipitated upon civilization, and by which the financial world has been dislocated, we can understand the almost impossible task that faces either a provincial or Dominion Government, or even a municipality, in dealing with questions of this kind. For instance, in the Dominion of Canada we have been a borrowing people. We have always relied as a Dominion, upon borrowing from the English money market all the money required for carrying out the public works of Canada. Not only did the Dominion Government rely upon that market, but the provinces, the municipalities, and the private corporations of the Dominion, from the Atlantic to the Pacific, relied upon the money market of London for the purpose of carrying out their undertakings. The war was thrust upon us, and suddenly we were cut off from all the financial assistance which, up to the present time, we have relied upon for the carrying out of the great public works of the Dominion as well as the commercial undertakings of Canada. This was bound to precipitate unemployment to an extent never before experienced. We are not confronted by this question any more seriously than they are in the United States and in many of the countries of Europe. So far as the Dominion Government is concerned, being relieved of the direct obligation of making provision for unemployment, what did we do? The Government brought down, amongst its other measures last August, war measures, by which it was not only possible, but feasible, for the Provincial Governments and for the municipalities of the Dominion to obtain Dominion notes, to obtain loans of reasonable amount through their banks, for the purpose of easing up the situation and of fac-

ing the dilemma in which the whole of Canada was thrown. That, I think, indicated a measure of sagacious statesmanship that has not been exceeded in the history of this Dominion, particularly during such a crisis as that through which we are passing. Consequently, it was made possible for every province, for every municipality in the Dominion to obtain a certain amount of assistance through the medium of our legislation and by which they might face this question of unemployment and proceed, to some extent at least, with the carrying out of their public works. Large obligations had been thrown upon the Dominion Government at this particular time. It would be unreasonable to suppose that the Dominion Government should be called upon to stand alone and face all the difficulties which have been precipitated by the war crisis. What is the Dominion Government doing to-day in addition to the legislation to which I have referred, making it possible for the provinces and municipalities to secure a certain amount of ready money to meet immediate requirements? We were further confronted by a lamentable crop failure in the Northwest, and during the present session of Parliament we are making provision for advancing somewhere over ten million dollars to alleviate the distress occasioned thereby. We have not been waiting for Parliament to take this action, but the Government had to assume, and did assume the responsibility of alleviating that distress some months ago, and from the last harvest down to the present time has been exercising its energies to ameliorate the distress resulting from the failure of crops in the West. Then this brings us down to the question that there must be a distribution of obligations and duties at this very critical time, and the provinces must exercise their rights and duties in the matter. They must face the obligations which fall upon them as well as the municipalities, and this I think they are doing. Hon. gentlemen can very well appreciate the fact, once they give a moment's consideration to the question, that unemployment is a local matter and must be dealt with wherever it occurs within the various local areas. Unemployment, particularly on a large scale, must arise in all civic centres. As I have said, in times of prosperity we have the question of employment, like the poor, always with us, and of course in times of adversity it becomes very much more accentuated. That brings us down to the question of the solution of the difficulty pointed out by my hon. friend, the leader of the Opposition, and referred to by the hon. gentleman from Prince Albert, namely, the establishment of labour bureaus. If the establishment of labour bureaus would solve this particular question, it would be a very easy solution of a very serious trouble, because we would have labour bureaus at once established and the whole question would be solved, but a moment's consideration will impress upon the minds of my hon. friends, that a time of financial depression is the last moment when labour bureaus should be established. The question that is agitating us now is not the question of placing men in employment; the question is the making of employment. If we were prosperous, if labour was inviting the workingmen to participate in all its advantages, and he could not be satisfactorily placed, then would be the time to establish labour bureaus, but as I say the time is inopportune for their establishment. Then we come to the constitutional side of it. Hon. gentlemen must remember that there has been an apportionment between the Dominion and the provinces of duties and obligations which pertain to each, and the establishment of labour bureaus is not within the jurisdiction of the Dominion Government so far as all labour proper is concerned. This matter has received serious attention at the hands of the Government, and the constitutional question has been very carefully looked into. We have satisfied ourselves that so far as immigration is concerned, (being a subject with which the Dominion Government has to do), that we can regulate labour by labour bureaus within the scope of immigration. This we have already done, more, I think, than could be reasonably expected by the Government in solving the question so far as organization is concerned.

In connection with the administration of the Immigration Act agents have been appointed on commission to assist in the placing of farm labour and domestic servants. There were at the end of 1914 over 160 such agents, situated mostly in the provinces of Ontario and Quebec, since in these provinces more continual agricultural employment is offered than elsewhere in Canada.

The number of immigrants placed by their agents for the years 1912-13 is as follows:

1912, men, 2,158; in 1913 there were 2,743; in 1912, there were 1,718 women placed, and 2,937 men.

In addition to these employment agents the Immigration Branch employs above thirty salaried officers who, with other duties, do considerable work in the distribution of labour, and who are stationed at the following points: Victoria, Vancouver, Calgary, Edmonton, Lethbridge, Medicine Hat, Prince Albert, Lloydminster, Battleford, Port Arthur, Fort William, London, Hamilton, Toronto, Montreal, Quebec, St. John, Woodstock, N.B., Fredericton, Halifax, Sydney, North Sydney, Truro and Charlottetown. Returns from twenty only of these agents show that in the year 1913 they placed about 20,000 immigrants.

Hon. Mr. DAVID—Could the hon. gentleman tell us the number of those placed on the farms?

Hon. Mr. LOUGHEED—No, I could not tell you. The information received from the Immigration Branch shows that over ten thousand men were placed during 1914, besides 204 married couples and 573 domestics, while the agencies at Montreal, Ottawa, Toronto, Hamilton and London placed approximately 4,500 persons.

So that it will thus be seen that very considerable is being done by the Dominion Government in endeavouring to solve the question of unemployment, and in locating immigrants wherever employment can be secured. A word as to the provinces. The provinces of the Dominion have assumed the right to establish labour bureaus in contradistinction to the general right of the Dominion Government. In Ontario in 1907 labour bureaus and labour exchanges were established. In 1910 the Quebec Legislature took the matter up and passed legislation making provision for the establishment of similar institutions, and from that time to the present these provinces have been exercising their constitution and powers in conducting their labour bureaus, and some of the other provinces of the Dominion, particularly some of the western provinces, are following in the wake of Ontario and Quebec. The Dominion Government, with a view to exercising its powers as far as is possible, has legislated to the extent of licensing and inspecting all local agencies which have to do with the location of immigrants. To that extent the Dominion Government is able to exercise its constitutional powers, but to no further extent. The question of labour bureaus has not always been regarded favourably by labour organizations in Canada or even in England, where the situation is entirely different. Their constitutional system is vastly different to our own. The labour organizations in England as a whole do not look favourably upon labour bureaus, but as hon. gentlemen can very well understand, a labour bureau administered by the Government of Great Britain in London is in immediate touch with every part of Great Britain, and through telephonic and telegraphic communication within an hour can reach any part of the United Kingdom; consequently we can understand how it is that in Great Britain a system of this kind can be successfully carried out. To assure hon. gentlemen of the fact that this matter is not being overlooked, I may mention that we have, in addition to the provincial organizations, municipal organizations in all the large centres of Canada, are administered by the municipalities. We have the Young Mens' Christian Association in every city in Canada, and the Salvation Army, all of which are very important media in working out this question of labour. I think, therefore, under those circumstances, that my hon. friend who has directed our attention to this matter may be assured that the Government of Canada is not overlooking the importance of this question. The only criticism which I can make applies to the remarks of my hon. friend from Prince Albert, who seems to assume that we have been absolutely silent and quiescent upon the question. I venture to say that if he had bestowed the same attention to inquiring what was being done in his own country, to that he has given to what is being done in Great Britain, and the various over-seas dominions as well as in the United States, he would have expressed himself with less anxiety as to the outcome of this question. Under the circumstances, on behalf of the Government, I may say that we are unaware as to how we can substantially do anything more than we have already done.

Hon. Mr. GORDON—I have every sympathy with the motive which has prompted my hon. friend from Prince Albert (Hon. Mr. Davis) in making the remarks he has made on this occasion. His motives are good, but it seems to me that, at the present time, it would be absolutely absurd to establish a bureau such as he suggests. If such a bureau would not cost anything, and if it would be the means of employing one additional man, I would be the last to say anything against it, but to-day we have a condition of affairs of which every one is well aware. It must be quite plain to every one that no person has got to go far to

seek for people who are looking for work; that being the case, I do not see what use registration offices would be. I can well understand that, at a time when the country is prosperous and labour in great demand, a bureau of this description would be a good thing, more particularly, and perhaps only for the immigrant people coming into this country. When times are prosperous, as they were previous to the last year or two, people had not to go far in this country to find work, and the only people for whom we had to provide work were the immigrants. To-day we have no immigrants coming into Canada, and very few are going elsewhere, that I know of; consequently I do not see what there would be to gain in any shape or form by opening a labour bureau at the present time. My hon. friend from Prince Albert seems to be under the impression, which I think is a mistake, that persons looking for labour would simply have to apply to these labour bureaus, and they would be sent exactly the kind of workmen that was being looked for, and that these people who wanted this class of labour would be only too ready and willing to pay for the transportation. I am sorry to say that conditions are such at present that no person has to send away from his immediate locality for labour. If that is the case, and if I am right, I do not see why one additional dollar should be spent by the Government of this country, for what I claim to be a useless purpose, particularly in view of the fact that at the present time the Government of the country should in every way seek to make all the possible retrenchment in order to meet the war expenditures. The Government has been blamed from certain quarters for being extravagant, and for spending too much money; as this is a useless expenditure, we should not be asked by members of this House to make it.

IMMIGRATION ADVERTISING.

Hon. Mr. McSWEENEY—I would like to direct attention to an item which appeared in the Montreal Gazette a few days ago in regard to Mr. Sumner, who has been appointed Agent General by the Provincial Government. It reads as follows:

> Mr. Sumner, agent for New Brunswick in London, hopes that after the war many English farmers may be induced to settle in his province and in Nova Scotia as well. At any rate, the provinces in question are to do extensive advertising in the Old Country. If the campaign is successful it should be a good thing for the Maritime Provinces. They have much land and few people to develop it.

There is nothing about the Scotch and Irish in this. Does not that show very bad taste, and an utter want of common sense? No Irish need apply. And that comes from my own town.

ONTARIO BILINGUAL SCHOOL QUESTION.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion moved by the Honourable Mr. David, seconded by the Honourable Mr. McHugh:

This House, without derogating from the principle of provincial autonomy, deems it proper and within the limits of its power and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bilingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the fathers of Confederation, and with the spirit of our constitution.

Hon. Mr. CHOQUETTE.—When the Hon. Member for Russell (Hon. Mr. Edwards) took the floor the other day, he said he approached the question with considerable diffidence, by reason of the fact that it was a controversial question. I must say that when I decided to make a few remarks on this most important and vital question, it was also with the greatest diffidence, but I thought it was my duty to say a few words; and in order that I may place before the House exactly what I intend to say in this question, so that my remarks may not be taken in a political, racial or religious way, I deem it proper to put them in writing. I leave to my hon. friends in this House, who are thinkers, jurists, historians, etc., the care of laying before you arguments drawn from reason, natural law, constitutional law and from history. Such arguments exist, as you are aware, and you have already heard the brilliant and striking exposition of them. I disavow any appeal to racial or religious antagonism and I condemn any person who would be disposed to make capital with the help of these incendiary pretexts.

My sole object is to afford you the opportunity of listening to the voice of a French Canadian, a voice appealing to the sentiments of tolerance, magnanimity and remembrance, which I feel sure exist in the

hearts of my well-thinking English speaking fellow citizens.

I have heard the grievance uttered by my compatriots and found out that they simply ask for the peaceful enjoyment of a most important privilege. Should that privilege be denied to them, I confess I would feel a profound and lasting aversion towards many respectable and honest people with whom I have been working for a long time with a view to the greatness and prosperity of our beloved country, and with whom I would like to remain, as long as I am a member of this Chamber, in perfect accord in sentiment and ideas.

Not very long ago, without even going as far back as the Mowat and Ross periods, Ontario and Quebec had pleasant political intercourse and generous mutual ambitions.

I do not claim that in every centre of the province of the Great Lakes pro-French sympathies were very ardent, but it would not be very correct to state that such did not exist. There were, undoubtedly, degrees in the warmth of these sentiments.

Circumstances, intellectual culture, ambitions, professions, modifies the expression of this feeling, but I repeat this warmth, although somewhat cooled down, certainly existed among several groups.

Must we look upon the recent attitude of the citizens of the province of Ontario as an atavic survival of the old Tory spirit? Must we look upon the qualification of Liberal as but the meaning of a logical disposition, of a happy tendency not to trouble any body by arbitrary laws or tyrannical authority.

This state of mind, this happy tendency which favours accord, and entente cordiale, we possess them, I am proud to state, we, of the province of Quebec. It is born within us, it forms part of our social temperament.

That is the reason why we have such an attachment to all things connected with our past, and why we so highly treasure old charters, old papers signed by these men, your countrymen, to whom the whims of fortune have compelled our subdued ancestors, say conquered, if you like, to place in their hands in 1760, the fate of their persons and their possessions.

Do not say that these old writings are obsolete and of no meaning. The preservation of our laws, of our customs, and of our privileges is guaranteed by hundreds of documents. Is not the privilege of the mother tongue one of the first and principal social privileges of individuals as well as of people? It is essential to the working of the national and social machine. It is as necessary for its working as oxygen is to the lungs to vivify the blood of our organism.

Will you say that they are but scraps of paper? If so, they have truly an inestimable value.

I appeal to your cousins beyond the seas, to those valorous Tommies who, for the last six months have been fighting in France and Belgium for their country and civilization. I do not want to stop and consider what are the material interests which may have incited England to be a party to this struggle of giants. I do not want to fathom the mind of the illustrious statesman who to-day presides over the glorious destinies of the British Empire; one thing is certain, I acknowledge it unhesitatingly, that the determining motive of England's participation apart from the question of her own interest, the reason which set the gigantic war mechanism of Albion in motion, was the weight of a mere scrap of paper; a scrap of paper which bears the signature of England and which a Kaiserian aberration has caused to be thrown into the waste basket. By the invasion of Belgium, we have all been shocked, in our love of justice and our worship of honour.

I do not hesitate to declare that not a single French-Canadian can be found from Halifax to Victoria to approve of the Imperial German perjury. Nowhere in Canada was there an attempt to plead extenuating circumstances in support of this assertion; have we not the generous blood which, at this very moment, is being shed by our compatriots of all origins.

But, say you, what is the reason of these clamours? What is the question, after all —a slight alteration of the educational programme, or a relative curtailment of the use of the French language? I hear you, and reply that these reflections are unworthy of men who are not only educated, but fair and just.

Indeed, we fully realize what we shall lose if our claims are not entertained, but what distresses me is that you English-speaking men do not seem to realize what you shall lose thereby. You shall lose that French culture, the importance and superiority of which has been felt for centuries by the intellectual elite of every nation. Englishmen, Germans, Swedes, Italians, Russians, and even Turks, all speak French, or at least understand it. Not a single man occupying a position in

any university or state staff would confess, without confusion, that he does not possess the language of diplomacy, the language of international congresses, the universal language, in a word. Indeed, I am acquainted with the Ontario educational system. I admire her universities, I envy her 150 schools and institutes of high grade tuition, I was happy to hear that in my province a friend of education, Mr. Sauvé, M.L.A., has proposed to the Quebec legislature to establish in each county a house of high grade tuition similar to your own. But what I cannot refrain from noticing and denouncing is that an essential item is lacking in your programme of liberal education. I mean that the teaching of French does not form part of it, or, if it is part of it, it remains a dead letter, as we may judge by our daily relations in this very Chamber.

On the other hand, English is taught among us. It forms part of our programme of tuition. In our colleges and convents, English is taught, and efficiently taught. If we do not all speak it with the perfection of an Oxford graduate, we understand it perfectly well, and we know how to use it in our social relations, in this Chamber and elsewhere. How many of our French Canadian colleagues here, or in the other Chamber, have had no other English instruction than that which they have received in our rural colleges. We are fond of the English language, we like it, not only because it enables us to have daily communication with you, but also from a higher motive, because its propagation enlarges the British Empire, and what enlarges the Empire has its effect on us of the Canadian Dominion, on us Frenchmen of Quebec; we want it in Boerland, we want it in Malta, we want it in India, in a word, at every point where the British flag is waving, but we do not want it to exist to the exclusion of all other languages in prohibiting the use of the mother tongue of people under the protection of the said flag, and who have a right to remember their origin and their nationality.

We therefore ask and demand that the French families issued from the founders of this country—of this Dominion be not forcibly compelled to forget their language. We protest against anything that might have this unfortunate result.

I may add that we insist on your possessing a French education, an adequate French education, so that you may avoid mistakes committed by you, and of which we can only be ashamed. Is it not humiliating for us to see the beautiful French language disfigured in a stupid jargon that a disgraceful cupidity dares to print in the enlightened city of Toronto.

What can the French people of France think of the French in Canada when they read productions such as these:

> Les besoins des emprunteurs reçoivent attentive considération monnaie est avancée aux feurmes responsables sur leurs propres notes. Accomodation est donnée sur securite approvée, et papier de commerce décompté.
>
> Si votre métier soit ce de fermier ou de marchand—vendeur de bestiaux ou manufacturier —il sera quelquechose pour vous d'être associé avec la Union Bank of Canada. Si vous voudrez profitier de tous ses numereuse facilitiés vous pourrez faire croître et étendre vos affaires.

And to think this production is thrust upon the public by a great financial institution, such as the Union Bank.

But I read with pleasure, a few days ago, in a Montreal paper, the following note in connection therewith:

> The miserable pupil, coming from an unknown public school, who has crossed the French language with the Iroquois language, and has thus obtained this nameless hybrid, has swindled the bank of the whole amount received from it for such a translation. He obtained money under false pretenses, by telling the bank he possesses French, when he does not know a single word of it.

On the other hand he exposed the bank to extreme ridicule. I might cite several other similar lucubrations which ignorant people describe as Parisian French. What is still graver, the same ignorance reveals itself in solemn circumstances where the honour of the whôle of Canada is interested. A very few years ago, in 1913, an international geological congress was held in Toronto. It had been decided that the French language would be the official language, as is customary, you know, in international assemblies. There was quite a solemn opening by the representative of Canada (Sir Charles Fitzpatrick), then acting as Governor General, who gloried, and I congratulate him therefor, in showing his perfect mastery of both English and French.

The president of the congress (Mr. Adams, of McGill University, Montreal) followed, and also spoke in French. The two men, I am proud to say it here, belonged to the province of Quebec. But what was the language used by the representative of the Ontario Government (the Hon. Mr. Hearst, now Prime Minister), and by the rector of Toronto University (Mr. Falconer), and Mr. Church (representing the mayor of Toronto)?

—the English language. Why could they not express themselves in French? The answer is upon your lips. Does not that ignorance of the French language, in men occupying such prominent positions, humiliate them, and humiliate you, English citizens of the Dominion?

English, Austrian, Russian and Swedish delegates spoke in French. Alone, with the exception of the delegates from my province, the Americans, above and below the 45th parallel, were unable to speak the French official language. Do you not consider this belittling the importance of Canada which was founded by the French?

Will you allege, as an excuse, that you cannot learn, in Canada, the French of France, that we do not speak the Parisian French? I will tell you that the Parisian French is not the best French. The good French, the real French is cultivated in France on the shores of the Loire, in the home of great castles, which several of you have visited or will some day visit. Question the people you meet there and you will find out for yourself that our own language does not materially differ from theirs.

There is, however, I admit, a difference: our accent has perhaps not the musical one of Paris, but this fault, it appears, is due to our climate and is common to all American languages. An Englishman from England will also tell you that your accent has a nasal twang.

A traveller told me that one day he visited, with an English friend, Westminster Abbey, where an American guide was enumerating aloud the great beauties and souvenirs of this celebrated structure to a group of his compatriots. He caught sight of a young man behind a pillar who was listening with marked attention to the guide's remarks. Do you know what that young man is doing, inquired my friend? "Well," said he, "this young man is an actor holding a leading role in an American play, which has been advertised for a week; he is endeavouring to speak with an American accent, and he is now studying that accent, go and hear him, and you will observe the laughter he provokes in the audience."

I do not relate this incident to deprecate your language. Such a thought is far from my mind. I merely wish to point out that if we subject ourselves to a mutual examination, we shall discover many faults, many imperfections of minor importance which the care of our common interests inclines us to veil. What is more important, what imposes itself upon us, is the preservation of peace, accord and mutual confidence. It is in your power to grant us these precious gifts, or at least to help us to preserve them, or to reconquer them. We shall attain this happy result if, in the solution of this difficulty, you are animated by the same sentiments as I am. I attach great importance to it, for I look upon it as the confirmation of the Federal tie which unites us. I see in it the growing power of our country by means of peace; I see in it a warmer devotion to the British flag and to this immense Empire over which the sun never sets.

My children are the great grand-children of Sir Etienne Pascal Taché. You are not unacquainted with the fact that the latter declared that the last gun for the defence of the British flag in Canada, would be fired by a French-Canadian. I trust that my sons, unless they are compelled to do otherwise, may never forget, either the letter or the spirit of this declaration of their ancestor.

Hon. Mr. BOLDUC moved that the debate be adjourned until Wednesday next.

The motion was agreed to.

BILLS INTRODUCED.

Bill No. 69, An Act to incorporate the Colonial Bank of Canada.—Hon. Mr. Casgrain.

Bill No. 70, An Act to incorporate the Alberta Permanent Trust Company.—Hon. Mr. Talbot.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Friday, March 19, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE SECOND SESSION OF 1914.

NOTICE OF MOTION.

The Notices of Motion being called:

Hon. Mr. CLORAN—I am prepared to give a notice of motion, but I want the light turned on. What is the matter with the Government powers in the Senate? There is no light.

The SPEAKER—In the olden days the Lord said, "Let there be light; and there was light," but at the present day we must

give the Sergeant-at-Arms time to turn on the light.

Hon. Mr. CLORAN—I desire to place before the hon. House a notice of motion which is neither a perfunctory nor a useless one.

The SPEAKER—If the hon. gentleman desires to be in order, he must read his notice and not discuss it.

Hon. Mr. CLORAN—I can introduce my motion with a few remarks without being called to order.

The SPEAKER—The hon. gentleman cannot discuss it.

Hon. Mr. CLORAN—I know I cannot discuss it. I give notice that on Wednesday next I shall move the adoption of the following resolution:

Resolved that the Senate of Canada can hereby declare that the meeting of the Parliament of Canada in the month of August, 1914, for special and unusual purposes of Government does not and cannot be construed as a regular and usual session of the Parliament of Canada, as contemplated and provided for by the British North America Act, for the purpose of disqualifying members of the Senate of Canada on account of non-attendance at that meeting of Parliament.

Further be it resolved that hereafter any meeting—

I do not call it a session, I call it a meeting—

Any meeting of the Parliament of Canada for special, unusual or extraordinary purposes of Government shall not constitute or be deemed to be a regular and usual session of Parliament, as provided for and contemplated by the British North America Act for the purpose and end of disqualifying members of the Senate of Canada on account of non-attendance at such meeting of Parliament.

That is very plain. I am introducing this resolution from no party point of view at all.

The SPEAKER—The hon. gentleman cannot speak to his notice.

Hon. Mr. CLORAN—Have I not a right to explain?

The SPEAKER—No.

Hon. Mr. CLORAN—That is the decision I want. Wait a second—

The SPEAKER—When the motion comes before the House the hon. gentleman can discuss it.

Hon. Mr. CLORAN—Very often when a senator introduces a measure he is called upon to explain it.

The SPEAKER—There is no measure in that notice.

Hon. Mr. CLORAN—It is the biggest measure before the House. It affects the constitution. I invite the attention of senators to this matter. It is a matter which concerns the existence of the Senate.

ONTARIO BILINGUAL SCHOOL QUESTION

A QUESTION OF PRIVILEGE.

Hon. Mr. CHOQUETTE—I wish to read an extract from the Ottawa Citizen of yesterday morning, which has been reproduced in a great many papers, in Montreal and elsewhere. It is the report of remarks made by H. B. Morphy, K.C., M.P., and reads as follows:

If the French in Quebec hope to put the beastly, horrible French they speak, into this province, then I say brothers it is certainly an incentive to us to rise up in all our wrath and indignation and protest against any such terrible thing being brought about.

The toast to the Grand Orange Lodge of British America was also responded to.

I have nothing to do with the Orange Lodge, but I am surprised at a man in Mr. Morphy's position making such statements before a meeting where public men of importance and respectability were in attendance without any protestation, and I wish to say that a member of Parliament or anybody else who makes such a statement is only a beastly crank, and ignorant.

THIRD READINGS.

Bill No. 27, An Act respecting the St. Lawrence and Adirondack Railway Company.—Hon. Mr. Davis.

Bill No. 28, An Act respecting the Toronto Eastern Railway Company.—Hon. Mr. McHugh.

Bill No. 31, An Act respecting the British Columbia Southern Railway Company.—Hon. Mr. Bostock.

Bill No. 32, An Act to incorporate the Brulé, Grand Prairie and Peace River Railway Company.—Hon. Mr. Pope.

Bill No. 34, An Act respecting the Manitoba and North Western Railway Company of Canada.—Hon. Mr. Watson.

Bill No. 36, An Act respecting the North Pacific and British Columbia Railway Company. (As amended).—Hon. Mr. Bostock.

Bill No. 37, An Act respecting the Pacific, Peace River and Athabaska Railway Company.—Hon. Mr. Pope.

Bill No. 38, An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.—Hon. Mr. Bostock.

Bill No. 41, An Act respecting the Athabaska Northern Railway Company.—Hon. Mr. De Veber.

Bill No. 46, An Act respecting the Western Dominion Railway Company.—Hon. Mr. Talbot.

Bill No. 17, An Act respecting the Canadian Pacific Railway Company.—Hon. Mr. Young.

Bill (I), An Act for the relief of Lottie Thorndike.—Hon. Mr. Derbyshire.

Bill (J), An Act for the relief of Arthur Ernest Birdsell.—Mon. Mr. Ratz.

Bill (G), An Act respecting a patent of the National Wood Distilling Company.—Hon. Mr. Belcourt.

Bill (H), An Act respecting the Grain Growers' Grain Company, Limited.—Hon. Mr. Pope.

BILLS INTRODUCED.

Bill (O), An Act respecting the Northwest Life Insurance Company.—Hon. Mr. De Veber.

Bill (P), An Act for the relief of Austin McPhail Bothwell.—Hon. Mr. Derbyshire.

Bill (Q), An Act for the relief of Agnes Gravelle.—Hon. Mr. Derbyshire.

Bill (R), An Act for the relief of Clara Elizabeth Darnell.—Hon. Mr. Derbyshire.

SECOND READINGS.

Bill (L), An Act for the relief of Adam Clarke Anderson.—Hon. Mr. Taylor.

Bill (M), An Act for the relief of Thomas Jefferson Moore.—Hon. Mr. Ross, (Moosejaw.)

VAN BUREN BRIDGE COMPANY BILL.

THIRD READING POSTPONED.

The Order of the Day being called:

Bill No. 29, An Act respecting the Van Buren Bridge Company.—Hon. Mr. Derbyshire.

Hon. Mr. ROSS (Middleton)—I do not understand that the second clause of the Bill was reported, and I should like to have it read.

Hon. Mr. LOUGHEED—That Bill did not pass in committee?

Hon. Mr. THOMPSON—Yes, and was reported. The hon. gentleman from Perth asked for information with respect to whether any Federal aid had been given. I have spoken with the hon. gentleman and he said Mr. Chrysler, who represented the company had called and given him an explanation with respect to that and removed his objection. The Bill passed with an amendment to the second section of the Bill, suggested by the Clerk. The Bill was reported to the House by the Chairman; the House adopted the report in respect to the amendment, and fixed the third reading for to-day.

Hon. Mr. ROSS (Middleton)—Hon. gentlemen will find in the second clause the following words:

The undertaking and property of the company acquired or constructed in Canada, is declared to be a valid and binding lien or charge upon the said property and on the parties thereto.

That must be a mistake.

Hon. Mr. THOMPSON—I do not know whether that is the exact wording of the amendment suggested by the Law Clerk, and adopted by the House or not, but that amendment was thought to be advisable as rather improving the legislation in regard to the security the bondholders would have upon the construction of the bridge. If the amendment does not fit into the proposition, it is a matter for the legal lights of the House to determine. I move that the Order of the Day be discharged and placed on the Orders of the Day for Tuesday next.

The motion was agreed to, and the Order of the Day discharged.

The House adjourned until Tuesday next at eight o'clock.

THE SENATE.

Tuesday, March 23, 1915.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

IMPORTS AND EXPORTS OF COIN AND BULLION.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

1. What is the amount of coin and bullion imported into Canada for the eleven months ending February 28, 1915?

2. Also, the amount exported for the same time?

Hon. Mr. LOUGHEED—The answers are:
1. $131,546,197.
2. $7,572,887.

FENIAN RAID VOLUNTEER BOUNTIES.

MOTION.

Hon. Mr. FARRELL moved that an Order of the Senate do issue for:

1. A return of the names of all persons in Queens county, Nova Scotia, who applied for grants under the provisions of the Fenian Raid Volunteer Bounty Act, and who were paid said grant, also the names of the comrades and commanding officer in each case.
2. Also, the names of the persons in said county, who applied for said grant, together with the names of comrades and commanding officer, and who have not been paid said grant.

The motion was agreed to.

ADVANCES TO THE CANADIAN NORTHERN RAILWAY COMPANY.

Hon. Mr. BOSTOCK—Is the hon. leader of the House prepared to lay on the table the Orders in Council referring to the advances made by the Government under the Dominion Notes Act? I think they have already been brought down in the other House.

Hon. Mr. LOUGHEED—Does the hon. gentleman mean the advances made to the banks?

Hon. Mr. BOSTOCK—With regard to advances to the Canadian Northern Railway.

Hon. Mr. LOUGHEED—I stated to my hon. friend from Moncton (Hon. Mr. McSweeney) on an inquiry the amount which had been advanced to the Canadian Northern Railway, and also to the Grand Trunk Pacific. I gave also, particulars of the security which had been taken. If my hon. friend will look up the Debates he will ascertain the particulars.

Hon. Mr. BOSTOCK—Are all the particulars given in the Debates?

Hon. Mr. LOUGHEED—Yes, all the particulars that can be given.

BILLS INTRODUCED.

Bill (S), An Act to amend the Canada Grain Act.—Hon. Mr. Lougheed.

Bill No. 67, An Act to amend the Yukon Placer Mining Act.—Hon. Mr. Lougheed.

THIRD READINGS.

Bill No. 29, An Act respecting the Van Buren Bridge Company.—Hon. Mr. Thompson.

Bill (L), An Act for the relief of Adam Clarke Anderson.—Hon. Mr. Taylor.

Bill (M), An Act for the relief of Thomas Jefferson Moore.—Hon. Mr. Ross (Moosejaw.)

SECOND READINGS.

Bill (N), An Act respecting the Canadian Provident Insurance Company.—Hon. Mr. Watson.

Bill No. 69, An Act to incorporate the Colonial Bank (Canada).—Hon. Mr. Casgrain.

Bill No. 70, An Act to incorporate the Alberta Permanent Trust Company.—Hon. Mr. Talbot.

Bill (O), An Act respecting the Northwest Life Insurance Company.—Hon. Mr. Talbot.

STANDING ORDERS OF THE SENATE.

MOTION.

Hon. Mr. TESSIER moved the adoption of the eleventh report of the Standing Committee on Standing Orders.

He said: This report deals with a question which has already been decided by the Senate. The report reads as follows:

25a. No question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative, unless the order, resolution or vote on such question or amendment has been rescinded.

25b. An order, resolution or other vote of the Senate may be rescinded; but no such order, resolution or other vote may be rescinded unless seven days' notice be given and at least two-thirds of the senators present vote in favour of its rescision: provided that, to correct irregularities or mistakes, one day's notice only shall be sufficient.

This gives more security in reference to any question which has been already decided.

The SPEAKER—I suppose any doubts about this question are all removed, in the opinion of this House.

Hon. Mr. CLORAN: I still have doubts.

The SPEAKER—I doubt if we can amend our rules or Standing Orders in this way. There is a rule which indicates what should be done when we desire to amend a standing order.

Hon. Mr. CASGRAIN—I do not think the House understood exactly what the hon. gentleman said when he was explaining this report. I take it the rules of the House are to be changed, and that it will require more than a bare majority, or even a tie, to rescind something which has been passed by the Senate. At present I presume that by a bare majority of the Senate we can review, in the same session, what we have already passed upon. If I understand the report rightly, it is a recommendation that in future if an hon. gentleman desires to have some motion rescinded by the Senate he must give six days' notice, and when the matter comes before the House it will require a two-thirds majority to change what has been done by this House. Is that right?

Hon. Mr. TESSIER—Yes.

Hon. Mr. POWER—I desire to say a word as to procedure to which His Honour the Speaker has referred. It is not intended that the standing order recommended in this report should become a rule of the House. It will be necessary to give two days' notice and have the members summoned before it can be adopted as a standing order, and I submit that then will be the proper time to discuss the details and merits of the question.

The SPEAKER—As I understand the hon. gentleman, the motion made now is simply to adopt the report of the committee, and following that the other procedure will follow.

Hon. Mr. POWER—Yes, it will be necessary to give two days' notice to-morrow.

Hon. Mr. CLORAN—I think the best time to deal with a matter of this kind, involving free speech, is now, and not after the report has been accepted by the House and comes back for consideration. Now is the time to register a solid objection to any measure of this kind. A two-thirds majority does not appeal to a democrat. That majority appeals to autocrats, and we want none of that in Canada. We have enough of it in the Senate at present without introducing any more. On principle I am opposed even to the suggestion of this idea in the report. This Parliament has got along well enough since Confederation with a majority vote on all questions involving the dignity of the state, the safety of the state, the administration, honour and dignity of the Senate, and why, at this late hour of a moribund session, should we be called upon to change a rule which lies at the basis of freedom of speech? The report is so couched, and it was placed before the House in such a way that nobody could understand it. Even the hon. gentleman from De Lanaudière had to ask for an explanation, and he is a bright genius, with his eyes and ears open. It does not take me long to smell autocracy in rules of this kind, and on the last occasion when we were discussing this matter I told hon. gentlemen what the House did, in spite of its better judgment. On the spur of the moment, and in heat of debate, they passed a most unreasonable rule against the dignity of this House and the maintenance of its powers. Now we are called upon to adopt this incoherent report, which has to be concurred in now and submitted for further consideration some other day. To my mind there is no sense in that procedure. If hon. gentlemen would take into consideration their rights, privileges, and powers, they would decline to deal in an off-hand manner with a report of some committee with a quorum of three or five, without the matter being fully examined and considered. I quite agree with His Honour the Speaker, who has his ears and eyes open in such matters, that rushing matters of this kind is not in the best interests of the Senate. I place my protest before the House.

Hon. Mr. BEIQUE—I think we should hear from the Chairman of the Standing Committee as to the reasons to be urged in support of this recommendation. For my part, I do not feel sufficiently enlightened to pass upon it. It seems to me that now is the time to discuss the question, because if we approve of the report it goes without saying that the members of this hon. House, especially if it should be carried unanimously, would be committed logically to pass it after the proper notice has been given. The first paragraph of the report reads as follows:

> 25a. No question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative, unless the order, resolution or vote on such question or amendment has been rescinded.

I should think it might be difficult to apply this rule if it should be adopted. We have a practice of Parliament that is established, not only in this country, but in the Mother Country, on a question of that kind, and it would be much wiser to rest on that practice, which has been followed

for a century or more, than to adopt a new rule which may be susceptible to different interpretation and what may be applied one day in one sense and another day in another sense according to the temper of the House.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BEIQUE—As to the second paragraph:

25b. An order, resolution or other vote of the Senate may be rescinded; but no such order, resolution or other vote may be rescinded unless seven days' notice be given and at least two-thirds of the senators present vote in favour of its rescision: provided that, to correct irregularities or mistakes, one day's notice only shall be sufficient.

For my part, I would not be disposed to object to the principle of this second paragraph except that a delay of seven days seems to be too long. A couple of days would be ample as a notice for the purpose of asking for the recision of a decision of the Senate. Putting it seven days might at the end of the session make it impossible, and I fail to see any reason why such a long delay should be required when we have it that we can adopt a standing rule or change any rule by giving two days' notice.

Hon. Mr. CLORAN—Yes, half a minute's notice.

Hon. Mr. CHOQUETTE—I think two days would be too short. Take an example: we adjourn on Friday, and suppose a resolution is passed on Friday and we come back on Tuesday night, there are four days. It ought to be at least five days.

Hon. Mr. CASGRAIN—Two sitting days.

Hon. Mr. CHOQUETTE—If you say two sitting days, that would be right, but now it is too short. I would not object to five days, but I do object to the two-thirds vote.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—I should like to know from the chairman of the committee, or from the hon. gentleman who brought this question before the committee, what reason was given, or what example or causes can be cited where injustice has been committed under the old rule.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. CHOQUETTE—I should like to know why these changes have been asked and by whom.

Hon. Mr. TESSIER—The motion has been referred by the committee to the House. The question was raised by the hon. gentleman from Halifax (Hon. Mr. Power), and notice was given in the House, and the committee was directed to take this matter into consideration and report upon it. Our report has been made in obedience to the order of this hon. House. We studied the question in the best manner possible, and we are open to conviction. If the House is not satisfied with this report, the members can vote against it; if they are satisfied with it they can adopt it. We were struck with the fact that when the House decides a question we ought to take all kinds of precaution if the House should be asked the next day to reverse its decision. If after a question is decided the parties interested in that question leave the Senate thinking it is settled, and without special notice to those parties, it can be reconsidered and the decision reversed, great injustice might be done to the parties. We cannot take too much precaution in notifying those parties that a question that has been decided in the affirmative will come back again and perhaps be decided in the negative. That is why we thought it important to give a long notice so that all parties interested would be advised that we were going to reconsider and might change our minds on a question that had been already decided.

Hon. Mr. CLORAN—Will the hon. chairman of the committee allow me to put a question?

Hon. Mr. TESSIER—I can assure the hon. gentleman who has just risen that there is no desire on the part of the committee to attack in any way the freedom of speech or the liberty of the British subject.

Hon. Mr. CLORAN—That is what I was going to ask. I accept the hon. gentleman's explanation as regards notice of rescinding a motion, but 24 hours or 12 hours is not enough, while seven days is too long. There is a medium term proposed by the hon. gentleman from Grandville, and I want to ask the chairman of the committee why he acceded to that principle of the autocratic majority of two-thirds of this House. Will he explain that as well as the other? If he cannot the report should not be concurred in; he cannot explain; there is no reason.

Hon. Mr. TESSIER—The reason is that when the Senate has to reconsider a motion that has already come before it, the committee thought it necessary that there should be some very strong reasons given

to change the opinion of the House, and that there would be more safety if there was a two-thirds vote required.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. CLORAN—They do not do it in England; they do not do it in any civilized country. If we adopt that report we stultify ourselves.

The SPEAKER—I do not think I should put this motion before calling the attention of the House to the irregularity of our procedure. Rule 29 reads thus:

No motion for making a standing rule or order can be adopted unless two days' notice in writing has been given thereof, and the senators in attendance on the session have been summoned to consider the same.

My hon. friend from Halifax says, "Let us adopt the report and to-morrow we will follow the other part of our procedure." But how can we do it? You cannot in a committee reverse the decision of the House. They are all tied by the decision of the House. I think the best way, if my hon. friend will accept my suggestion, would be to withdraw the report, and ask for that committee; that committee will study the rules or make a report on the rules, and then we might adopt it here, because when we adopt it here we would then be following the procedure indicated by our own rules. That is the suggestion I take upon myself to make to my hon. friend.

Hon. Mr. CASGRAIN—Instead of withdrawing the report I would move that the report stand, and then when the proper proceeding is taken, effect would be given to the report.

Hon. Mr. CLORAN—I do not propose to allow the report to stand. I will allow the motion of the hon. senator from Halifax to stand and have it referred to a proper committee, the Committee of the Whole House. I will not vote for the standing of this report; it would be an indirect way of endorsing it. Let the motion of the hon. senator from Halifax stand, and then have it referred, as His Honour the Speaker has pointed out so well and truly and in the interest of this House, to a proper committee.

Mr. DERBYSHIRE—Why not discharge the order?

Hon. Mr. CLORAN—There is no order. Let the original motion of the hon. gentleman from Halifax be referred to a proper committee with two days' notice.

Hon. Mr. POWER—I would ask my hon. friend what he would consider a proper committee?

Hon. Mr. CLORAN—The Committee of the Whole House on a matter of that kind where free speech is threatened; that is the proper committee, and the only one.

The SPEAKER—I am asked to read the rule once more:

No motion for making a standing rule or order—

That is what we are trying to do.

—can be adopted unless two days' notice in writing has been given thereof, and the senators in attendance on the session have been summoned to consider the same.

Hon. Mr. CLORAN—That is it; that is a Committee of the Whole.

Hon. Mr. POWER—As I have already said to His Honour the Speaker, the procedure which we propose to follow is to give notice to-morrow of this standing order, which has, in a certain way, been approved by the House now; but the idea that we were tied up, or that a Committee of the Whole was tied up by the adoption of the report did not occur to us. There has been some curiosity expressed as to how this reference came to be made. I am going to read only a few words from Dr. Bourinot:

It is an ancient rule of Parliament that "no question or motion can regularly be offered if it is substantially the same with one on which the judgment of the House has already been expressed during the current session." The old rule of Parliament reads: "That a question being once made, and carried in the affirmative or negative, cannot be questioned again, but must stand as a judgment of the House."

And then Bourinot goes on:

Unless such a rule were in existence, the time of the House would be constantly frittered away in the discussion of motions of the same nature, and the most contradictory decisions would be sometimes arrived at in the course of the same session. Consequently, if a question or Bill is rejected in the Senate or Commons it cannot be regularly revived in the same House during the current session. Circumstances, however, may arise to render it necessary that the House should reconsider its previous judgment on a question, and in that case there are means afforded by the practice of Parliament of again considering the matter. Orders of the House are frequently discharged and resolutions rescinded. The latter part of the thirteenth rule of the House of Commons provides: "No member may reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded."

Now I ask the attention of the hon. gentlemen to what comes after, as showing what the present practice is:

> In such a case, the motion will first be made to read the entry in the journals of the resolution; and when that has been done by the clerk, the next motion will be that the said rsolution be rescinded (b), or another resolution expressing a different opinion may be agreed to (c).

Now, hon. gentlemen, you can see that we might, as the hon. gentleman from Grandville said, adopt a resolution here to-day in a full House by a decided majority, and when we met the next day, or next Friday, or when about half the members had gone to their homes, this matter might be brought up again, the journals might be read, and then some hon. gentleman who did not approve of the resolution could, without any further notice whatever, move that that resolution be rescinded. I have seen the thing tried here myself; and I dare say other hon. gentlemen will remember a case when an attempt was made to do that. Hon. gentlemen talk about democracy, and about the will of the people, and about suppressing freedom of speech. To my mind that is the most childish sort of talk. The Commonwealth of Australia is about as democratic a country as you will find to-day, and the rule that was sent to that committee was copied word for word from the Australian rule. The hon. gentleman from Middleton rose a while ago, but unfortunately did not have an opportunity of saying what he proposed to say; but I think the Committee on Standing Orders is a respectable committee, though the hon. gentleman from Victoria division spoke as if that committee were a disreputable and incapable body.

Hon. Mr. CLORAN—Order, order. Mr. Speaker, I will not allow that word from the hon. member from Halifax to be put in my mouth. He has no right to use such expressions in regard to my speaking in this House. I never said anything of the kind, and I want Your Honour to have him withdraw that word.

Hon. Mr. POWER—I have no——

Hon. Mr. CLORAN—He has no right to use those words, and I ask Your Honour to protect free speech in this country.

The SPEAKER—Order, order.

Hon. Mr. CLORAN—What right have you got to use that word?

The SPEAKER—Order. If the hon. gentleman puts in the mouth of my hon. friend some expression that he did not use and that he denies, I suppose the first hon. gentleman will accept the denial.

Hon. Mr. POWER—I did not put any language in the hon. gentleman's mouth; All I said was that the hon. gentleman seemed to think that the Committee on Standing Orders was an inferior and disreputable committee.

Hon. Mr. CLORAN—I did not say anything of the kind, nor do I think it, and you have no right to use that language.

Hon. Mr. POWER—The hon. gentleman wished to have the matter referred to some proper committee, some committee of good standing. Now, as I say, the reference to the Committee on Standing Orders was a reference of rules worded in the identical language of the Australian rule. When the committee met they did not hurry, but they devoted some time and attention to this measure, and on motion of one hon. gentleman it was suggested that, instead of saying that the majority of the whole number of senators should concur after a notice of seven days, we had better make it two-thirds of those present, because as a rule we do not have much more than a majority of the members of this House present at any one time; and at the instance of the member who made this suggestion, the committee agreed to substitute a two-thirds vote of the members present for a vote of the majority of all the members. It occurred to me that it would be better to have this matter discussed when the Standing Order comes up in the regular way, when we start into make the new Standing Order; no one will feel that he is bound by the adoption of this report.

Hon. Mr. GORDON—I am absolutely opposed to this motion, simply because the only reason which appears to be advanced for such a change of the rules is that it all hinges on the attendance of hon. members in this House.

Hon. Mr. POWER—Not all; that is just one point.

Hon. Mr. GORDON—If the members are here always, then according to my hon. friend from Halifax it would make no difference; but this is a proviso for members who do not attend. Now, this House does not meet so often nor so long that the members should not be here and in their places,

and I have no regard for any motion which is put forward with that end in view. This is a rule which should not be applied; the rules that we have now are satisfactory and should be left alone.

Hon. Mr. CLORAN—Withdraw the report; the rule is out of order.

Hon. Mr. LOUGHEED—To overcome the objection of His Honour the Speaker as to the apparent irregularity of the report, I would make a suggestion. The report as it stands reads:

> Your committee would recommend that the following be added to the rules.

That would seem to supersede rule 29 of our Standing Orders, and it should have read:

> Your committee recommend that the following be added to the rules as provided by Standing Order 29.

If that be done, the report would then be quite in order.

Hon. Mr. THOMPSON—That amends it all right.

Hon. Mr. POWER—Move that way, and we will do it.

Hon. Mr. CLORAN—You have to move to amend the report.

Hon. Mr. LOUGHEED: As provided by rule 29.

Hon. Mr. CLORAN—Don't do that; keep your hands free.

Hon. Mr. POWER—Will you please move it?

Hon. Mr. LOUGHEED—I move that the report be amended by adding after "rules" the words "as provided by rule 29." Then rule 29 will come into operation, which reads as follows:

> No motion for making a standing rule or order can come into operation unless two days' notice in writing has been given thereof, and the senators in attendance on the session have been summoned to consider the same.

Hon. Mr. POWER—That is what we intended.

The SPEAKER—I think that would be evading the rule. The rule says that:

> No motion for making a standing rule or order can be adopted unless two days' notice in writing has been given thereof, and the senators in attendance on the session have been summoned to consider the same.

Hon. Mr. GORDON.

Well, if that suggestion were accepted, we could put in our rules any motion whatever.

Hon. Mr. CLORAN—Hear, hear.

The SPEAKER—Our rules say that no new order could be adopted in this House without following the procedure indicated in this 29th rule.

Hon. Mr. POWER—That is what the amendment is.

Hon. Mr. LOUGHEED—That is what is suggested.

The SPEAKER—I understand that it is an amendment adding to the rules.

Hon. Mr. LOUGHEED—No, the amendment is proposed to be made to the report.

The SPEAKER—How will it read?

Hon. Mr. LOUGHEED—The report will read:

> Your committee recommend that the following be added to the rules as provided in Standing Order Rule 29.

Hon. Mr. CLORAN—The hon. leader has put a question on crutches that will not stand.

Hon. Mr. BEIQUE—It should be amended either by changing it or adding to it. You are adding to it.

Hon. Mr. LOUGHEED—My hon. friend will see that before any of those rules can be amended there must be a motion to amend the rule in accordance with the provisions of rule 29. The report of the committee is nothing more than a motion that will be considered according to rule 29, to amend the rules.

Hon. Mr. THOMPSON: That is right.

Hon. Mr. POWER—That is right.

Hon. Mr. BEIQUE—May be I do not apprehend the point, but it seems to me that what is suggested is that: "Your committee recommend that the following be added to rule 29;" that is the suggestion.

Several hon. GENTLEMEN—No, no.

Hon. Mr. ROSS (Middleton)—Added to the rules, subject to rule 29 being complied with.

Hon. Mr. DANDURAND—I wonder why we are doing that. What is required to bring this motion under the rules of the House? Two things: first, that two days' notice in writing be given thereof; and second, that the senators in attendance on

a session have been summoned to consider the same; will, in short, fix this motion to be considered within the necessary delay, say Thursday or Friday, and the senators be notified, summoned according to rule 29, to consider such a motion Friday next.

Hon. Mr. POWER—They will be summoned; that is the intention, to summon them.

Hon. Mr. DANDURAND—My hon. friend from Halifax says they will be summoned, but if the motion made, as amended by my hon. friend the leader of the Government, is adopted, it simply means that we will pass twice on this matter, whereas if it is simply adjourned to the date when those two conditions will have been fulfilled, then we will take up the matter and discuss it without passing upon it, as we would be doing now.

Hon. Mr. LOUGHEED—No, because my hon. friend overlooks the fact that an order of the House has already been made referring this question to the committee to report to this House.

The committee has reported to the House, and they have reported what is equivalent to a motion, that certain amendments be made to the rules, but the language of the report is somewhat ambiguous, and the question has arisen that, if we adopt the report as drafted, then we seek to supercede the standing order and adopt the rule at once. That is not the intention of the committee. The intention of the committee is simply that the recommendation to the House, subject to rule 29, be taken into consideration.

Hon. Mr. CASGRAIN—How would it be to word it in this way: that the committee recommend that the Senate take the proper means, according to the rules, to give effect to this report?

Hon. Mr. POWER—That is just what has been done.

Hon. Mr. CLORAN—In regard to this matter I am quite in accord with the Speaker, who takes the clearer view of the entire situation than any one in this House, apart from myself. The proper procedure in this matter was to send this recommendation of the hon. gentleman from Halifax to the proper committee, and that committee was to be summoned in due course of time with two days' notice. That has not been done, and all the work performed by that committee up to the present moment has been irregular, unconstitutional and against our rules. I notified the hon. leader of the Government sotto voce to keep his hands out of it and not to deal with a matter of this kind, but it would have been better if he had acted accordingly. He can see the objections raised by his amendment. I call upon the Speaker to give a decision on my point of order that the reference to the committee and the reports of the committee are out of order and against the rules of the House.

Hon. Mr. BEIQUE—I suggest that the consideration of this report be postponed until Friday, and that the senators of this hon. House be summoned pursuant to the rules.

Hon. Mr. CASGRAIN—That is what I proposed at first.

Hon. Mr. LOUGHEED—They will have to be summoned to consider a specific motion.

Hon. Mr. BEIQUE—The specific motion will be the consideration of the report.

Hon. Mr. ROSS (Middleton)—No, it will have to be a motion to adopt rule 25a and 25b in this report.

The SPEAKER—I understand, after the discussion which has taken place, that the motion is to adopt the report of that committee, and by adopting the report of that committee we adopt the two additional rules that are to be embodied in our rules.

Hon. Mr. ROSS (Middleton)—No, the suggestion now is to allow the report to stand over until Friday next, and in the meantime we will make a motion that clauses 25a and 25b be adopted.

Hon. Mr. POWER—It seems to me, with all deference to His Honour the Speaker, that he misapprehends the position. The hon. leader of the House has moved an amendment to this report. The hon. chairman of the committee moved that the report be adopted, and the hon. leader of the House moves in amendment to insert after the word "25a" these words "as provided by rule 29."

Hon. Mr. LOUGHEED—Standing order 29.

Hon. Mr. POWER—To make it clear that rule 29 will apply to the proposed amendment. That is the businesslike and reasonable way to do. Perhaps the language was not as clear as it might have been, but that was the intention.

The SPEAKER—The motion is that the order of the day be discharged and taken into consideration on Friday next.

The motion was agreed to.

FIRST, SECOND AND THIRD READINGS.

Bill (T), An Act for the relief of Alexander McIntyre.—Hon. Mr. Derbyshire.

Bill (U), An Act for the relief of Violet Burnett Delmege.—Hon. Mr. Pope.

Bill (V), An Act for the relief of Alice Beckett.—Hon. Mr. Ratz.

FIRST AND SECOND READINGS.

Bill (51), An Act respecting the Kettle Valley Railway Co.—Hon. Mr. Bostock.

Bill (55), An Act to incorporate the Fraser Valley Terminal Railway Co.—Hon. Mr. Bostock.

SUPERANNUATION OF FRENCH TRANSLATOR.

The Speaker presented to the House a report recommending the superannuation of the French translator, Mr. Trudel, and the temporary appointment of Mr. De Montigny.

Hon. Mr. BELCOURT—I move that this report be taken into consideration to-morrow.

Hon. Mr. WATSON—These reports are always referred to the Committee on Internal Economy and Contingent Accounts.

Hon. Mr. DAVID—The recommendations of the Speaker are very good and cannot be objected to. I think we ought to give effect to the report of the Speaker.

Hon. Mr. WATSON—The Internal Economy Committee appoint a sub-committee to inquire into the working of the whole staff with the idea of economizing, and that sub-committee will report to the Internal Economy Committee to-morrow. They have been considering the matter of the clerical work of the office, and surely a report of this description ought to go before that committee, to be considered along with the work they have been doing, and in the past I think every recommendation of the Speaker has been referred to that committee. I therefore move that this report be referred to that committee for consideration. There will be no delay because there is a meeting at 2.15 to-morrow.

The SPEAKER: I would point out to the hon. gentleman that the procedure indicated by the law is that I should make a proposition to this House, and that this House accepts the proposition or refuses it.

Hon. Mr. WATSON—Or refers it to that committee.

The SPEAKER—No, that is a liberty taken, but I am speaking of the law, although I do not want to prevent any such liberty. This is a matter of urgency. The man who has tendered his resignation has let work accumulate, and I was obliged, in the press of work, to get this other man to commence immediately. We are just nearing the close of the session, when we have all the accumulation of work in these departments, so that it is a pressing affair. I recommend it to the House, and the House is at liberty to accept or refuse it.

Hon. Mr. WATSON—There are at present about fifteen members in this House. They are taken by surprise with the recommendation to appoint a chief translator.

The SPEAKER—No, the recommendation is to let it stand until to-morrow.

Hon. Mr. LOUGHEED—As a member of that committee, I should like to add a word to what has already been said. It seems to me inadvisable that this appointment should now be made. Much as I defer to His Honour the Speaker with regard to appointments of this kind, yet the Internal Economy Committee has already in an informal way discussed this subject. It has been ascertained that within the last few years the cost of translation has increased enormously. The question has come up for consideration by the sub-committee with a view of making a recommendation to His Honour the Speaker that something should be done for the purpose of effecting a retrenchment in the expenditure being made in the Senate, and particularly in this branch of its work. The Senate has not had perhaps to the extent that has been desirable, the services of the Chief Translator, who has resigned. It was pointed out, with a view of mentioning it to His Honour the Speaker, by the sub-committee that there would be no necessity for the appointment of an additional translator until at least next session.

Hon. Mr. BELCOURT—This is not an additional appointment.

Hon. Mr. LOUGHEED—It will be an appointment which, in the judgment of the sub-committee should not now be made.

Hon. Mr. BELCOURT—It is not an additional one.

Hon. Mr. LOUGHEED—It will not be necessary to make an appointment until next session; that is to say, the country will be at the expense of paying a translator a substantial amount per month for a duty which need not be discharged. The Debates for the present session will be a very small volume indeed, and there will be no translation of Bills, and I say from my own knowledge that I believe the translation staff is sufficiently numerous to perform all the work that is to be done until the next session of Parliament.

Hon. Mr. DAVID—It was not the translation of Debates altogether.

Hon. Mr. LOUGHEED—But there are not many Bills, most of them having already been translated.

Hon. Mr. WATSON—I move that the report be transferred to the Committee on Internal Economy and Contingent Accounts.

Hon. Mr. BAIRD— I second the motion.

Hon. Mr. BELCOURT—I withdraw my motion.

The SPEAKER—Then the question is on the motion that the report be referred to the Committee on Internal Economy and Contingent Accounts.

The motion was agreed to.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Wednesday, March 24, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (E), An Act respecting the Premier Trust Company.—Hon. Mr. Belcourt.

Bill (43), An Act respecting the Huron and Erie Loan and Savings Company, and to change its name to the Huron and Erie Mortgage Corporation.—Hon. Mr. Kerr.

Bill (58), An Act respecting the Casualty Company of Canada.—Hon. Mr. McHugh.

Bill (62), An Act respecting the Bank of Alberta.—Hon. Mr. Talbot.

Bill (69), An Act to incorporate the Colonial Bank of Canada.—Hon. Mr. Casgrain.

Bill (70), An Act to incorporate the Alberta Permanent Trust Company.—Hon. Mr. Talbot.

Bill (O), An Act respecting the Northwest Life Insurance Company.—Hon. Mr. Ross (Moosejaw.)

IMPORTATION OF AGRICULTURAL IMPLEMENTS.

INQUIRY.

Hon. Mr. DAVIS inquired of the Government:

1. What was the total importation of 7- and 8-foot binders from the United States in the year 1911, at the Port of Winnipeg, giving the number separately of each size?
2. What was the total amount of duty collected on same?
3. What was the total importation of 7- and 8-foot binders from the United States in 1914? Giving the amount separately of each, and what was the total amount of duty collected on same?
4. What was the total importation of farm wagons with their out box, giving number in each case from the United States in 1911, and what was the total amount of duty collected on same?
5. What was the total importation of farm wagons with their out box, giving number in each case, from the United States in 1914, and what was the total amount of duty collected on same?

Hon. Mr. LOUGHEED—The answers are:

1. Number harvesters, self-binding, all sizes, entered through port of Winnipeg, year 1911, 206. Total value, $22,558. Average value, $108.40 each. In the total number above stated are probably included harvesters smaller than 7- and 8-foot, but the number of each cannot be given from the records in the Customs Department, as invoices are retained in the department for only three years.

2. Total amount of duty collected on said binders, $3,947.65. Average, $18.98 each.

3. Seven and eight-foot harvesters entered for consumption through the port of Winnipeg in the year 94, total number, 193. Value $19,462 (including the value of the bundle carrier). Average value as entered, $100.84 each. Total duty collected thereon, $2,516.07. Average, $13.04 each.

4. "Farm wagons" entered for consumption from United States in 1911, 3,336, valued at $111,190; duty collected, $27,797.50.

5. "Farm wagons" entered for consumption from United States in 1914, 1,092, valued at $25,213; duty collected, $6,303.25.

SITTINGS OF THE SENATE AND COMMITTEES.

MOTION.

Hon. Mr. LOUGHEED moved:

That commencing on Saturday next, until differently ordered, there shall be two distinct sittings of the Senate every day, the first sitting to commence at 11 o'clock, a.m., until 1 o'clock, p.m., and the second sitting to commence at 3 o'clock, p.m., also that the Senate sit on Saturday next, and that all Standing and Select Committees of the Senate be permitted to sit while the Senate is in session notwithstanding anything contrary in Rule 86.

He said: This is in anticipation of the possibility of prorogation taking place at the beginning of next week. At the present moment there is not such a pressure of work as to necessitate our passing this motion. The morning sittings do not commence until Saturday next, and if on Friday we find there is not sufficient work for Saturday, then there will be no necessity for sitting.

The motion was agreed to.

SUSPENSION OF RULES.

MOTION POSTPONED.

Hon. Mr. LOUGHEED moved:

That from and inclusive of to-day, and until the end of the session, rules 23f, 24 a, b, d, e and h, 63, 119, 129 and 130 be suspended in so far as they relate to Public and Private Bills.

Hon. Mr. BOSTOCK—The hon. leader of the Government might possibly be able to give us some information as to what Bills are coming down before we adopt this motion; we should have some idea of whether it would be better to put this motion into effect now, or let it stand over until Saturday. This is the usual motion made towards the close of the session, but we do not know at present when the end is going to be. I find on looking at the records that sometimes this motion has been made ten days before the close of the session, and sometimes two days, and I hope my hon. friend will be able to give us some information and possibly agree to let it stand until Saturday.

Hon. Mr. LOUGHEED—Let it stand until Friday. We may not sit Saturday.

The motion was allowed to stand until Friday next.

SESSION OF 1914.

MOTION POSTPONED.

The Notice of Motion being called:

By the Honourable Mr. Cloran:

Resolved, that the Senate of Canada hereby declares that the meeting of the Parliament of Canada, in the month of August, in the year 1914, called for special and unusual purposes of Government, does not and cannot constitute a regular and usual session of the Parliament of Canada as provided for and contemplated by the British North America Act, for the purpose of disqualifying members of the Senate of Canada, on account of their non-attendance at such special, unusual and extraordinary meeting of Parliament of Canada.

2. Resolved, that hereafter any meeting of the Parliament of Canada for special, unusual, or extraordinary purposes of Government shall not constitute or be deemed to be a regular and usual session of Parliament, as provided for and contemplated by the British North America Act, for the purpose or end of disqualifying members of the Senate of Canada on account of non-attendance at such meeting of Parliament.

Hon. Mr. CLOREN—In view of the important matters now being debated before the Senate, I ask that the motion be permitted to stand. I do not wish to postpone it until after the death of the present Parliament, but it might stand until Tuesday next in order to enable the Senate to conclude the important debates which are now in progress. I do not say that the subject of my motion is not interesting and important, however, and I am prepared to proceed with the debate now, but I was approached a few minutes ago in regard to the matter, and requested to postpone it. I therefore move that the Order of the Day be discharged and that it be placed on the Orders of the Day for Tuesday next.

Hon. Mr. LOUGHEED—So as not to take the hon. gentleman by surprise, I would ask him to consider in the meantime whether his motion is not out of order, inasmuch as the Senate has no authority whatever to decide questions such as are involved in the motion. They are questions of law, particularly the latter portion of the motion proposes to amend the British North America Act. On reconsideration I think my hon. friend will observe that it is not possible for us to do that.

Hon. Mr. CLORAN—I fully appreciate the observations just made by the hon. leader of the Government in regard to this matter. I would point out to him, however, that what this House does is no concern of the Government. The Government may indicate its opinion, but can go no farther. The Senate within itself is absolutely supreme, and in regard to Senate vacancies, it does not devolve upon the Government to have Senate seats declared vacant. Any member of this House can, when occasion arises, call the attention of the Speaker to the fact that such a senator has been lax in regard to the constitutional provisions for his holding his seat. It does

not devolve upon the Government to do so; it is not a ministerial measure; it is not a political or a party measure; it is simply a question of the Senate holding its life in its own hands.

The SPEAKER—If it is not intended to bring up the motion to-day there is no use discussing it.

Hon. Mr. CLORAN—I know that. I have asked the permission of the House to have this motion in my name to stand over until Tuesday next. Now the leader of the Government rises and asks me if it would not be well to consider whether or not this motion is constitutional.

The SPEAKER—If the hon. gentleman wants to enter into a discussion let him put the question and discuss it; if not, let him accept the suggestion which has been offered, or, as he says, let that question stand until Tuesday. We can not lose all the afternoon discussing that.

Hon. Mr. CLORAN—No, we will not lose an afternoon; I am simply asking a question.

The SPEAKER—It stands.

Hon. Mr. CLORAN—Allow me, Mr. Speaker——

The SPEAKER—There is nothing before the Chair.

Hon. Mr. CLORAN—Why didn't you call the leader of the Government to order?

The SPEAKER—There is nothing before the Chair. Orders of the Day.

ONTARIO BI-LINGUAL SCHOOL QUESTION.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion moved by the Honourable Mr. David, seconded by the Honourable Mr. McHugh:

This House, without derogating from the principle of provincial autonomy deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bi-lingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation, and with the spirit of our constitution.

Hon. Mr. BOLDUC—Honourable gentlemen: in the exercice of the undoubted right which each member of this honourable body has to submit to its deliberations any question of public interest, my esteemed colleague, the hon. senator for Mille Iles (Hon. Mr. David) has deemed it proper to propose to this House the adoption of the following motion:

This House, without derogating from the principle of provincial autonomy, deems it proper and within its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bi-lingual school question, and believes that it is in the interests of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation, and with the spirit of our constitution.

This motion is worded in the most moderate terms, and reflects a patriotic desire to obtain from this House an expression of opinion which, spreading all over the country, would appeal to the sober thought of its people and contribute to restore peace and harmony amongst the good hearted sons of Canada. We all agree that questions of language, of race and religion are very delicate to be dealt with and that our country is inhabited by a population of different creeds and races. But in the past such difficulties have been overcome by men entrusted with the duty of being fair and just to all, in the paths of conciliation and harmony. We cannot forget that Confederation was given to us and accepted by us all as a remedy for the evils of the past and as a promise to the favours of the future. We all accepted it in that spirit. Confederation is nothing else than the union of different provinces, having each of them populations of divers creeds and divers nationalities, and there are no reasons why these different creeds and nationalities should not live in peace and harmony.

I cannot admit, honourable gentlemen, that French Canadians in this country should be regarded in the same way as strangers who come to settle on our shores. The French were the discoverers of this country and its first settlers, and, by their missionaries, have been the first to exercise influence on the Indians, and facilitate the opening of our beloved Canada, and never hesitated to shed their blood for the advancement of Christianity and civilization.

Several centuries ago, majorities thought

it was to their advantage to force minorities to adopt the language of the majority, but experience has always proved that the more you try to force a minority to abandon its language, the more that minority will resist. We have the experience of what has been done in Europe: I do not believe that there is one solitary country where some regrets have not been expressed that too much latitude has been given to its inhabitants to use the language they choose, but in England, in Scotland and Ireland the people have the greatest liberty to use the language they love.

In Sweden three languages are spoken. In Belgium, where they have two official languages, we have the greatest evidence of the patriotism of the people: it has not prevented that heroic nation doing its duty and proving to the whole world that they are one for the defence of their country and the defence of treaty rights and obligations.

I have always admired the motto of that brave nation, whose heroism has been written with their blood on the downs of Flanders, on the ruins of their destroyed cities, and engraved for ever in the hearts of their citizen soldiers—"L'Union fait la force." Let that be our motto, and let us never forget, if we want to be a strong nation, if we want to bring our country to the climax of its prosperity and its real greatness, that we must always be a united people. United we stand; divided we fall. It is the expression of this sentiment that has prevailed in the discussion of the present motion.

Without reserve, I laud the moderate language used by the honourable mover of this motion, and of my colleague who spoke after him on this interesting question. Up to this hour, we have presented to ourselves and to the public of this Dominion the spectacle of a calm and most dispassionate discussion of one of the most irritating questions that may be thrust on a deliberate body. But that is not sufficient. We have, every one feels, another duty to perform for the sake of harmony and for the good of the country. I trust that if we eliminate and ignore the elements of disturbance that we find in all creeds and nationalities—which are always in small numbers—the numerous people who are always in favour of justice being done to all, we can safely rest assured that any real injustice which may have been done will be remedied without delay.

Some difficulties have arisen in different parts of this country as to the right of children of French origin to be taught in their mother tongue in the public or separate schools.

The experience of the past teaches us that a people loving its mother tongue will never abandon it, and I believe that every one of us realizes the importance of the English language and tries to learn it. In the province of Quebec the English language is taught in almost all our schools, the exception being only when it is impossible to have a teacher knowing that language. The desire to learn English has been increasing rapidly during the last fifteen years, and we remark that the desire, instead of decreasing, is more and more accentuated. It may be said that learning two languages will place the pupils in the position of being unable to master any one; that the French we learn in the province of Quebec is only a patois. It has been my privilege to meet many very highly educated Frenchmen who come to visit our country, and every one of them has expressed his surprise that the French spoken in Canada is so good and pure. Mtre. Labori, one of the best educated Frenchmen who visited Canada lately, says in his report of what he saw in America:

"The contemptuous way in which Englishmen and Americans treat French speech is rather amusing. The French language in Canada is noted for its rather pronounced provincial accent, which is neither that of Normandy, nor of Picardy, nor of Poitou, nor of Champagne, but has traits peculiar to each of those countries. But nothing is so authentically French as this savoury language, reverently preserved by the sons of the first settlers. Undoubtedly, a few modern expressions, translated from the English, some peculiarities of pronunciation, may be somewhat disparaging; but the general effect is charming and full of grace, especially for a Frenchman. In a sense, the French language in Canada, with its archaic and somewhat rustic character, coming, without any apparent alteration, from the ancestors, is perhaps more veritably French than even the language of the boulevards of Paris.

But a number of Englishmen, deceived by appearances, and who fail to appreciate this charm of speech, so touching to us, are mildly sarcastic about it.

One of them told me on the steamer, in a barbarous French, which he thought was elegant: "You will see; French is very poorly spoken in Canada. When I am in Quebec, I am mistaken for a Parisian."

This amiable gentlemen who, otherwise, was no fool, had no idea how his candid observation was comical.

I realized how ridiculous he was then, having hardly landed in Quebec, and speaking to the harbour employees, to cabmen, to customs officers, I was able to suppose myself in the very heart of France, in Poitiers, Rouen, Tours and Besançon."

I may add that the French Academy has crowned the works of Chapman, Routhier, Frechette and several others, which I think is a good certificate as to the purity of the language as spoken by our people in this country.

The harmony we are seeking from the community in general we must have amongst ourselves, and there is, I think, a way to obtain it. In advising peace and harmony I think we have to give a good example and show by a unanimous vote that the idea of the Senate and their sincere desire is to see that every difficulty which may arise in the different provinces of our broad Dominion may be settled in the interest of the whole community in order to further the progress and happiness of the whole people.

We have no remedy to suggest and we will not attempt to suggest one. We refrain equally from discussing the question of the French language from a legal point of view. It is not our intention to make out a case, either legal, racial or political. Clauses 93 and 133 of the British North America Act may be invoked by lawyers before the courts of justice, but as we are not sitting here in a legal capacity there is no need of arguing the legal point before us, and consequently introducing in this Chamber questions that we have no authority to decide.

The motion of my hon. colleague is not a condemnation of what may have been done in the past, but is merely a declaration that peace and harmony should reign in the different provinces of this Dominion.

There may be doubts among certain of my hon. colleagues as to the opportuneness of this motion at the present time without its being asked for, and I have heard it said that in the absence of a petition from a minority complaining of the treatment they receive from the majority, it would be much better to make a motion of this kind general and merely an expression of opinion as to what should be done in case of difficulties arising in any part of this Dominion. This is what has induced me to offer the amendment which I shall read in a few minutes.

In his motion, the hon. gentleman wants us to express regret that divisions seem to exist in the province of Ontario. I think it would be far better not to mention any province in particular, and that we should completely erase from the motion any allusion to a particular province. The amendment I intend to offer is designed to remove what may be found by some of us to be an obstacle to our unanimous expression of opinion in the present instance.

My amendment also does away with the affirmation that we are acting within the limits of our powers and jurisdiction and in pursuance of the object for which this Senate was established. It is useless to say so, and, moreover, it may be questioned if the Senate has been established for the sole purpose mentioned in that affirmation. For those two reasons, I move in amendment to the main motion:

That all the words after "that" be struck out and the following be inserted in lieu thereof:

"That this House, without derogating from the principle of provincial autonomy, deems it proper to regret the existence in any province of Canada of divisions in connection with the bi-lingual school or other national or religious questions, and believes that it is in the interest of the Dominion at large that all such questions should always be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national religious sections of this country, in accordance with the views of the Fathers of Confederation and in the spirit of our constitution.

Now, for the sake of peace and harmony, and in order to obtain a unanimous vote of this House in the expression of an opinion, which cannot be said to be aimed at a particular province, but which appeal to the goodwill of the whole country, I address myself to the patriotism of the hon. gentleman for Mille Iles and ask him to accept the amendment which I am now proposing and to vote for it.

In doing so he will set a noble example which, I am sure, will be followed by those hon. gentlemen of this House who have objected to the main motion for the reasons I have given above, but who, now that these objections have been removed, will not hesitate a single moment to give to their country a similar and no less noble example, in adhering without a single dissentient voice to the declaration demanded from this Senate.

Our House is composed of men whose age and experience should be beneficial to the people, and in giving an example of unity I feel satisfied that we are working for peace and harmony, and for the better progress and happiness of the whole Canadian people.

Hon. Mr. POPE—In rising to second the motion which has just been made by my hon. friend from Lauzon (Hon. Mr. Bolduc) in reference to this question, which is consid-

ered by all the speakers a delicate one to be raised in a community of mixed population and difference in religious views, I do not regret, as far as I am concerned, the discussion so far as it has proceeded. I looked to-day for the termination of the debate, and I had hoped that the hon. mover of the resolution would come to the conclusion to withdraw his motion. In that event, of course, the amendment would be withdrawn. Questions of this character are inflammable in Canada, and it is not difficult to raise issues entirely beyond the control of the hon. gentlemen of this Senate. I should not like to feel that this hon. body had become a clearing house to any political body or organization, or for any religious body, whatever that body might be. We are here for other duties. Our constitution provides other subjects for our consideration, and limits also the questions that we rightly should discuss. All seem to have admitted that we have not, within the four corners of the constitution that has created this hon. body, the power to interfere in this matter practically. We can only pass resolutions, or express views as to which there will be a very great difference of opinion, no matter how carefully we may frame any resolution that we may pass. We will not do any particular good, and we may do a great deal of harm. We are discussing a question over which we have no control. The constitution is settled, as has been ably explained by able lawyers, like the hon. gentleman from Ottawa (Hon. Mr. Belcourt). In a well prepared French speech before the French Congress held in Quebec in 1912, he broadly and firmly stated—and brought all the arguments and quotations from the constitution and from the various laws to prove conclusively, that the French language by constitution and legitimate right was limited to the province of Quebec, the Parliament of Canada, and the Federal courts thereof; that we have no more place on this side of the Ottawa river—that we have certain rights on the north side of the Ottawa river, but no rights on the south side. Those were his words. Under these circumstances we may accept him as an authority, because on that occasion, in the great conference held at Quebec, he had been specially requested to prepare a memorandum for those people who were interested, the dignitaries of the church, the men fervent in the matter of religion, language and nationality—a magnificent assembly of people—and with his great ability and knowledge of constitutional law, he could not possibly have made any mistake in the preparation of the document that he placed before that hon. assembly at that time. Taking his word, we have no power to deal with this matter. Then we come down to natural rights, to special privileges, to indirect interpretations of treaties, from the Treaty of Paris down to Confederation, and now we discover that perhaps the Fathers of Confederation were not far-sighted enough to foresee everything that might happen in this country. I am in perfect accord, and have always been in accord with those who favour a generous policy. There is no greater admirer of the French Canadian habitant than I am. I have lived among them all my life. I have them as my neighbours, I know their honesty of purpose, their hospitality and generosity. No man ever had better neighbours than the French Canadian habitant, bnt I wish decidedly to draw a strong line of demarcation between that great body of honest people in the province of Quebec and the demagogues and the agitators amongst us. Under those circumstances I second, with the greatest pleasure, the amendment that has been proposed by my hon. friend from Lauzon. At the time of Confederation, in 1867, it has been truly said that Sir George Cartier and those who surrounded him, and were safeguarding the languages and privileges which were near and dear to the French Canadian people, had provided for all those things in the province of Quebec. But they did not anticipate the overflow of that race to the adjoining province of Ontario. They were no more to blame for not foreseeing what was to happen than Sir Alexander Galt, who was then the representative of the Protestant minority in the province of Quebec. At that time corporations were practically limited to railroads, banks and insurance companies. It was practically an unknown thing to do ordinary commercial business by limited liability companies. Business was conducted by private parties and private partnerships and there was no provision made in that constitution for an equitable distribution of the taxes collected from shareholders of corporations according to their nationality or religious belief. It was divided in proportion to the number of children in the municipalities, with the result to-day that in the province of Quebec there is taken from what would naturally be the Protestant education fund a very large sum every year as it is taken from those corporations based upon the arrangements sanctioned at the time of Con-

federation, or which grew up under the constitution. Somebody has assumed, I do not know whether it is true or not, that the Protestant schools of the province of Quebec lose by this arrangement a million dollars a year. I am not here to say whether that statement is strictly accurate or inaccurate, but it is approximately correct. I am not here to complain either with regard to that. It is under the constitution that we, the English speaking Protestant element of the province of Quebec, live. It is under the provisions that were made for us in 1867. We stand by those provisions, and I say here, without fear or favour, the time has not yet arrived when we need ask concessions from our French Canadian friends. True, the overflow of the French Canadians from the valley of the St. Lawrence into the Eastern Townships, in which I happen to live, has driven out—not driven but purchased out, because I object to that phrase "driven out"—the English-speaking Protestants. When a French Canadian comes into our part of the country and buys a farm and pays the full price that the owner asks for it, there is no driving out; it is a fair bargain.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—The same in Ontario.

Hon. Mr. POPE—I never yet saw an Englishman who gave up his property for nothing. The result of this change of population is that our school system has been broken up. The French Canadians come in; they are mostly Roman Catholics of course, and have their school system, and every time a Protestant resident sells his farm, the assessment on that particular farm is diverted from the dissentient to the Roman Catholic schools. We have met that situation by establishing central schools and carrying our children some distances to them. I really think it has been greatly to our advantage, because we have better schools than when we had so many little school houses with very cheap teachers in them. The centralization of those scholars I think has redounded to our advantage. Personally, I have absolute confidence in the habitant—I do not mean the demagogue, the man who advertises himself to the great disadvantage of the French Canadians throughout Canada by his speeches and by his newspaper articles —not that gentleman at all. I am speaking of the honest fellow who is and who intends to remain a citizen of Canada and of the province of Quebec—the man whom I call the farmer or the habitant. If the time should ever come when we would want some special consideration, if I should be alive and stand up to ask for it, I shall not appeal to the province of Ontario and ask my English compatriots in that province to come to my relief, but I will go straight to the municipality, to those who are in control, the habitants who are my neighbours, and tell them that there is a fair way of dealing with me on the spot, and I expect to get fair play from the habitant as I know him.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—You will be well received.

Hon. Mr. POPE—I will not only be well received, but I will be well treated. The hon. gentleman who spoke the other day took the liberty to raise a little question here in regard to Mr. Morphy, I think, who had been addressing an Orange lodge. Well, Sir, I never attended an Orange lodge; it would not be a proper place for a Pope to attend—not that I doubt I could do them some good, but it would be a subject of criticism if I should go there. I know Mr. Morphy very well. He has taken the trouble to learn the French language, to read it and to write it, and he simply said what many people have said, that the French Canadian people do not speak their language well, do not speak it with a Parisian accent, or that peculiar curl on the end of his tongue that makes an "r" sound three or four times as big as it is. That may be true.

Hon. Mr. DANDURAND—That is Cockney French.

Hon. Mr. POPE—Cockney French—perhaps that is true; but my hon. friend, the senator from Ottawa, said at that Congress that the only suggestion he could make was that they should perhaps speak it better. What he meant by that I do not know, but when a French Canadian and a highly educated gentlemen like the hon. senator from Ottawa (Hon. Mr. Belcourt), offers that criticism, I do not think it is very much of a sin if Brother Morphy, in some place or other, under the inspiration of the Grand Orange Lodge, at a banquet where they had a profusion of good things that make the tongue glib, indulged in a similar criticism, and I do not think it is fair to bring that incident up in this House. I do not

think that it is worthy of the occasion to do that. We may, if we choose, read all those papers that are being published. As soon as this question was asked in this House you would find sufficient reasons for divergence of opinion if you take up the daily press. Some papers in Quebec and some in Ontario write and re-write at each other. I think the hon. mover of this resolution, when we take all these things into consideration, will perhaps agree with me that after the discussion to-day it would be a splendid thing to withdraw this resolution.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POPE—Now, in so far as I can discover, the great difficulty in the province of Ontario lies between the Irish Roman Catholic element and the French Canadian element; it is not between them and the Protestant element.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POPE—In reference to that permit me to read to this House an authority on that subject—the French Canadian Congress at Quebec accepted him as an authority—that is, the hon. senator for Ottawa. He said:

> It must continue to urge the Roman authorities to get recognition and approval of the French Canadian rights and to have bishops and priests speaking the French language in places where the French predominate: because we must admit it, the most redoubtable enemy of the French language in Canada and the United States, the enemy to be most feared because his means of operation are constant and easily put into execution, is the Catholic clergy speaking the English language and which on this continent is unbridled desire to have disappear from the church and the school all language but its own and in this the clergy supports its contentions, false as they are, by saying that the cause of Catholicism requires it. The use of the French language and the teaching of the same in the province of Ontario is not sanctioned by the constitution of Canada nor by the Ontario laws; they are merely tolerated, whilst it is hoped they may disappear if it can be brought about. This is proved very clearly to be the case by the recent decisions in the province of Ontario.

Then we have also a letter from a clergyman, Father Whelan, in this city, a gentleman who, I understand, devotes a great deal of time and a great deal of money to educational matters and to the improvement of the young associated with his school and his church. Writing to His Eminence, Cardinal Bégin, of Quebec, and Sir Lomer Gouin, in regard to recent utterances on the bi-lingual question in connection with Ontario separate schools, he says:

> Your Eminence, the one great need of the Catholic Church in Ontario for her peace is more autonomy—a blessing that will come to her when the civil boundaries of the province shall be declared, the exact limits of her own jurisdiction as well. Then, and only then, the church will be in her own normal position here in Ontario, and she will be no longer confounded with her accidents, or suspected or rejected for what she is not.

Therefore, I would not like to see this hon. Chamber made a clearing house for any religious body whatever. We have nothing to do, as a Senate, with the disagreement or the division between the French Canadian end of the Roman Catholic Church and the Irish end of the Roman Catholic Church. That is for the church authorities to settle among themselves. I do not think we are justified in taking a hand in the dispute. It is entirely and away beyond what we should consider. The Roman Catholic Church, without a question of doubt, is one of the great organizations of the world. Like all organizations of that character, it is trying to do good, but it is not for us to take into consideration the management of its affairs. So far as I know—and I have watched and followed closely—the Roman Catholic Church, as an organization, has been quite able to take care of its members during the time that I have been on this globe and have been of reasoning age, and I anticipate it will continue to do so. Not having any constitutional control over this matter, not having any right to interfere in these religious disputes between the two ends of the Roman Catholic Church, I again say, let us end this discussion as we desire the peace, harmony and good will of the people of Canada, and the advancement of the French Canadian himself, with whom I am on the most friendly terms. As I travel across this continent, going probably twice a year, half of my time is taken up in trying to present a fair case for the French Canadian to the English-speaking man who lives one or two thousand miles from here and does not know him, and who is judging him by the words and speeches of demagogues.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—Whom we all blame.

Hon. Mr. POPE—We might say this is brought up by a prejudiced witness, because it has been introduced by a strong friend and admirer of the ex-Prime Minister. I do not say that. The hon. gentleman has assured us on his word of honour

that it was not his intention to arouse racial prejudices. I accept all that. We could say, judging by the prepared essays that have been delivered here, that there has been a consistent effort on the part of some one single man, or combination of men, to give this a certain presentation. I do not say that.

Hon. Mr. DAVID—Hear, hear.

Hon. Mr. POPE—When war was declared in Europe, the people of the great city of Quebec were waiting by the thousands to know if England would come to the succour of France. It was a memorable evening in the old city of Quebec. Finally the cable told the tale, that England was to cross the channel and espouse the cause of France, and there was some speech-making. A gentleman was there who used to be a Colonel, I believe—Col. Lavergne I think was his name in times of peace. I have seen him parade here in his uniform, red and blazing, with cocked hat and sword. To-day he is under the barn some place because war is on. This man does not command much respect from me. On that occasion he attempted to say to the French Canadians in the street—but they would not permit him to finish his words—that we should not send any help to the Mother Land until Ontario settled this bi-lingual question. When we see men associated all on one side of politics, standing behind this movement it is an unfortunate circumstance. Now, I do not think Mr. Lavergne—

Hon. Mr. CHOQUETTE—Will you allow me? Mr. Lavergne was the best help to the party now in power in Ottawa and helped to defeat Laurier at the last election. You must know that.

Hon. Mr. POPE—Of course I am charitably disposed towards my hon. friend because we were in the House of Commons for a long time, and I know how deeply dyed in political matters he is.

Hon. Mr. CHOQUETTE—I used to be.

Hon. Mr. POPE—And I know how hard it is for him to separate himself from his past.

Hon. Mr. CHOQUETTE—Not at all.

Hon. Mr. POPE—I do not know whether Bro. Lavergne or Lt.-Col. Lavergne under the barn, aided or assisted the Conservative party. In my humble opinion he did not. In my humble opinion he tried to, and if he did not it is not his fault.

Hon. Mr. CHOQUETTE—He was even asked to go into the Government; he was even offered a portfolio.

Hon. Mr. POPE—Oh no.

Hon. Mr. CHOQUETTE—Oh yes, by Mr. Monk.

Hon. Mr. POPE—You are still living in a political atmosphere, my dear man. Go and take the hot baths at Arkansas, relieve the system, come back here normal; be an ordinary member of the Senate of Canada, without any political affections.

Hon. Mr. CHOQUETTE—I know these facts do not please you, but they are facts all the same, and true.

Hon. Mr. POPE—The truth has not yet been proven.

Hon. Mr. CHOQUETTE—It has been proven; it was never denied.

Hon. Mr. POPE—One other remark and I am through. It has been stated that this is a good time to settle this question, to hold out the olive branch because we have war.

Hon. Mr. CHOQUETTE—Hear, hear.

Hon. Mr. POPE—" Hear, hear " says the politician. I say that it is the very wrong time.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. POPE—It is the time when no agitation should take place in this country.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. POPE—Do you think this is a graver issue than the Irish question, which was put to one side in half an hour because the Empire was to be attacked? If I have any judgment at all in these matters, it is a time when we should stand together, and when all these small difficulties, home affairs, should be set to one side and we should be united.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. CLORAN—Not the Irish question.

Hon. Mr. POPE—I say the Irish question was set aside temporarily.

Hon. Mr. CLORAN—Oh, temporarily.

Hon. Mr. POPE—Now, I am sorry I waked up the hon. gentleman from Victoria. Hon. gentlemen of the Senate, I offer you

my most sincere apologies for having awakened the hon. gentleman. It was not my intention.

Hon. Mr. CLORAN—I am generally awake for what is wrong.

Hon. Mr. POPE—There must be a lot of wrong things in this Senate.

Hon. Mr. CLORAN—Yes, there are.

Hon. Mr. POPE—I have much pleasure, hon. gentlemen, in seconding the motion.

Hon. Mr. LEGRIS—After the eloquent and very able address we have heard on this burning question one can say that it is now exhausted. Therefore I do not rise to make a speech. I wish to offer a few remarks, not from a legal or a constitutional point of view, as I am not a lawyer, but just to say how surprised I am to realize that during this time of truce in Great Britain and Ireland, on account of the most terrible war the world has ever seen, fought hand in hand by England and France on behalf of freedom, liberty and civilization, one can find in this great country of ours men unwilling to agree that it is at least a good thing for anybody to know both the English and French languages. Is it necessary to furnish reasons and proofs before this Senate and each of you hon. gentlemen, to back my contention? This has already been done by the hon. gentlemen who preceded me. You are all aware that the necessity of knowing the French language is acknowledged by the most eminent men in the whole world, and most prominently in England where a man cannot be considered well equipped if he does not know French, which is the diplomatic language of Europe and which was also the language used by the International Geological Congress held in the city of Toronto in August 1913, where about 600 delegates from all nations of the world attended. My hon. friend from De Lorimier very properly stated this important fact last week. We all know that the eminent men sent here by the British Government to discharge the high duties of Governor of Canada, as well as their families, are quite conversant with both English and French. These reasons have already been eloquently pointed out by the hon. mover of this resolution, but I can do no harm in repeating them. We all know that France is one of the leading nations of the world, in every particular—in arts, science, literature, commerce, agriculture and industries of all kinds. Her people are also most thrifty; that great nation being second to none in that respect. For God's sake what objection can any one have, whatever be his nationality or creed, to knowing and speaking its language, and especially if he is a free British subject, knowing as we do that in England the French language is highly appreciated, as it deserves to be.

Recently we have seen in the press that our boys who are fighting the joint cause of the Empire and of France, have asked to be supplied in the trenches with French-English dictionaries. They realize the necessity, or at least the advantage and pleasure they would enjoy by having a knowledge of the language of their French comrades, comrades with whom they are ready to give their life side by side for the same cause of England, France and Belgium.

Possibly the boys of French and English descent, born in the province of Ontario, in years to come, will be in the very same position as their older brothers are to-day. And in view of all that, to my mind it is inconceivable that the French people in Ontario are to be deprived of the right of being educated in their fine language, second to none in the whole world, which is so often necessary, still more often useful, always agreeable and, at the same time being their mother's tongue. I am at a loss to understand why there should be anywhere on earth, and particularly in the great province of Ontario, a desire to hurt to such a degree their fellow-citizens of French origin.

I prefer to believe that it is nothing else than the result of a misunderstanding provoked by the extremists on both sides, or the fanaticism of a certain class of people, independently of their religious or social associations, for I have no hesitation in believing that the large majority of the English-speaking people of Ontario desire to be fair towards their neighbours of French origin. At the same time, I know that their system of public schools in that great province is most commendable and progressive. Therefore, if I am not mistaken, under such circumstances it must be possible to find a practical way to restore harmony in the schools with regard to the teaching of the French language to the French pupils. I hope that the words of peace uttered in the Senate in the course of this debate will be heard, not only throughout the province of Ontario, but from one end of the country to the other. I am quite sure that the leading men of Ontario have no desire to be unfair or unjust towards the French population of

their province, for they are good people, contributing their share to the progress and advancement of their province and their country. On the other hand, one cannot charge the French people with disloyalty; no suspicion exists as to that. Neither can they be charged with refusing to learn English, for they are all anxious to do so. They know it is their duty, that it is in their interest to know it, and, at the same time, they like to know it, as we do in the province of Quebec.

The knowledge of two languages possessed by the French population of the province of Ontario, or the conservation of their French language, cannot hurt any of their fellow English-speaking citizens of that province or elsewhere.

By hurting their feelings one cannot hope to make them better citizens. They are as good, as peaceful and as loyal as any other Canadians. That cannot be the object of their opponents in trying to oppress in their schools children of French descent, for they are equal to others in every particular. Would it not be more glorious for the great province of Ontario to have within her population a good number of her citizens conversant with both English and French, as is the case in England?

For my part, I think so. I also think that at this time of truce in this great Empire, the political men of both parties in Ontario should devise and find out a way to restore peace and harmony between the citizens of good-will in their province, by giving to all the greatest freedom and liberty, no matter what their creed and nationalities are, as we do in the province of Quebec. That course will, no doubt, contribute to make the sister province still greater, deserving to be mentioned in the whole world, coupled with her sister province of Quebec, as a glorious example of that freedom and harmony I have already alluded to.

For these reasons I hope that a happy understanding will be arrived at before long. To attain that result so ardently desired by every citizen of good will, in my humble opinion, the English majority must be, not only fair, but generous in behalf of the French minority in Ontario; but on the other hand, the minority ought not to forget that sometimes circumstances may place them in a position such as to lead them to believe that they do not enjoy the full possession of their rights when it would be difficult for the Government and the majority to grant their request.

In my opinion, the Senate is perfectly justified in agreeing to the expression of opinion set forth in the resolution of my hon. friend for Mille Iles. One, perhaps the most important, of the functions of the Senate being to protect minorities in this confederation, I say that I consider it the duty of this hon. House to vote for that resolution which is merely an expression of opinion in accord with the spirit and the views of the great statesmen who framed our Canadian Confederation and those who followed them as leaders of public opinion in this country, and of whom Canada has the right to be proud; it is our duty to follow their advice on questions such as this.

Nevertheless, if the amendment just moved by my hon. friend for Lauzon (Hon. Mr. Bolduc) which I have not had time to consider, seems more acceptable to hon. members of this House, I should also accept it. I leave the question in the hands of my friend for Mille Iles (Hon. Mr. David).

Hon. Mr. DONNELLY—In my opinion the motion, as it appears on the Order Paper to-day, is not such a motion as should receive the approval of this honourable body. While the supporters of this motion may be within their rights in expressing their regrets in regard to divisions which seem to exist in Ontario, their suggestions that all such questions should be settled along fair and patriotic lines implies that the question has not been, or will not be dealt with by the Government of the province of Ontario along fair and patriotic lines, and is an uncalled for reflection on the Government of Ontario.

While the agitation in regard to bilingual schools has been going on for some years, it has been very greatly increased during the past few months. A short time ago the Legislature of the province of Quebec saw fit to pass a resolution very similar to the one before the Senate to-day. Why this increased interest in the question at the present time? The parties responsible for the agitation must have some object in view. Now, what is the object? I have no doubt that some of the parties who are so active in this matter are honest in the belief that they are endeavouring to assist that part of the population of Ontario who are of French origin in their desire to perpetuate their language, but I also believe that a great number think that when a general election comes on this question can be made to do service as a Liberal campaign cry among the French Canadian electors.

Questions of a racial nature are always difficult for a Government to deal with, and the uncalled for interference of the Legislature of Quebec, and the proposed interference of the Senate with the administration of the Educational Department of the province of Ontario, can have no other effect than to make it difficult for the Ontario Government to deal as generously with their French Canadian citizens in the province as the Government might wish to do. It is only natural to suppose that the English-speaking portion of the population will resent such interference and insist that the School Act be strictly enforced. The result to be obtained from a school law, or from any other law, does not depend so much on the framing of the law, as on the administering of it. It is impossible to frame a law that will suit all cases, but I have sufficient confidence in the Government of the province of Ontario to believe that, if they were free from outside interference, they would administer the law in such a way as to secure the best results.

Apparently the parties who are pushing this question for political purposes are willing to make the position of the French Canadian population in Ontario more difficult than it is, in order that they may make some political capital out of the question. Encouraged by their success with the school question in 1896 they hope to regain power by the use of another school question. What is the situation in the province of Ontario? The members who support this motion appear to believe that the Government and the English-speaking portion of the province have a great dislike for the French language. Such is not by any means the case. We realize that the French language occupies a very high place among the languages of the world, and consider it a valuable accomplishment to have a good command of the French language; but, we also consider that the English language holds at least an equally great place among the languages of the world, and as the English language is the language of commerce and also the language of the courts and the legislature of the province of Ontario, it is the duty of the province to see that every child who goes through the primary schools of Ontario acquires a fair knowledge of the English language.

In order to provide that children speaking the French language may acquire such a command of the English language and also to provide that under certain conditions they may improve their knowledge of the French language the Ontario Government have, by Order in Council, passed certain regulations in regard to English-French schools, commonly referred to as Rule 17.

Clause 3 of said regulation is as follows:

3. Subject, in the case of each school, to the direction and approval of the chief inspector, the following modifications shall also be made in the course of study of the public and separate schools:

(1) Where necessary in the case of French-speaking pupils, French may be used as the language of instruction and communication; but such use of French shall not be continued beyond Form 1, excepting that, on the approval of the chief inspector, it may also be used as the language of instruction and communication in the case of pupils beyond Form 1 who are unable to speak and understand the English language.

(2) In the case of French-speaking pupils who are unable to speak and understand the English language well enough for the purposes of instruction and communication, the following provision is hereby made:

(a) As soon as the pupil enters the school he shall begin the study and the use of the English language.

(b) As soon as the pupil has acquired sufficient facility in the use of the English language he shall take up in that language the course of study as prescribed for the public and separate schools.

This clause does not require much explanation. Its object is to ensure that French-speaking pupils shall acquire such a knowledge of the English language as the department consider all pupils who pass the primary schools should acquire. Clause 4 reads:

4. In schools where French has hitherto been a subject of study, the public or the separate school board, as the case may be, may provide, under following conditions, for instruction in French reading, grammar and composition in Forms I to IV (see also provision for Form V in Public School Regulation 14 (5) in addition to the subjects prescribed for the public and separate schools:

(1) Such instruction in French may be taken only by pupils whose parents or guardians direct that they shall do so, and may, notwithstanding 3 (1) above be given in the French language.

(2) Such instruction in French shall not interfere with the adequacy of the instruction in English and the provision of such instruction in French in the time-table of the school shall be subject to the approval and direction of the chief inspector and shall not in any day exceed one hour in each class-room, except where the time is increased upon the order of the chief inspector.

(3) Where, as permitted above, French is a subject of study in a public or separate school, the text-books in use during the school year of 1911-1912, in French reading, grammar, and

composition remain authorized for use during the school year of 1913-1914.

Some objection has been taken to the time limit of one hour for the teaching of French, but when you consider that the pupils already are able to speak the French language and that the school day is only of about five hours' duration, the fact that they are allowed one-fifth of the time for instruction in French reading, grammar and composition appears to me to be reasonable.

In order to show that the Department of Education of the province of Ontario was not inspired by any narrow motives in passing this regulation, I desire to call your attention to clause 15.

15. On due application from the school board and on the report of all the inspectors approved by the chief inspector, an English-French school which is unable to provide the salary necessary to secure a teacher with the aforesaid qualifications shall receive a special grant in order to assist it in doing so.

This clause shows the department was willing to deal generously with their French Canadian friends, and where the school board was unable to pay the necessary salary to secure a teacher qualified to teach in both the French and English languages, the department were willing to come to their assistance by making a special grant.

The provisions just quoted are sufficiently broad to admit of the school law being so administered as to satisfy any reasonable desire on the part of our French Canadian fellow citizens.

In reading the debates last week I was somewhat surprised to find that the hon. member for De Salaberry (Hon. Mr. Beique) made the following statement:

Whatever may be the merits of these contentions, which I do not propose to discuss here, there is, I submit confidently, one point on which there can be no room for disagreement; it is that the French language stands in the whole Dominion constitutionality on the same footing as the English language.

He bases his contention on section 133 of the British North America Act, which reads as follows:

"Either the English or the French language may be used by any person in the debates of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec, and both those languages shall be used in the respective Records and Journals of the Houses."

If the intention of the framers of this clause was to place the French and English languages on the same basis in all parts of the Dominion as contended by the hon. member for De Salaberry, why was the province of Quebec specially mentioned in the clause? Clearly the clause was intended to place the French and English languages on the same footing in the Legislature of the province of Quebec and also in the Federal Parliament in order that the Quebec representatives might have the opportunity of using the French language in the Parliament of Canada. The fact that the province of Quebec is the only province mentioned in the clause is the complete answer to the hon. member's claim that the two languages are on the same footing in all parts of the Dominion.

This motion makes some reference to religious sections. This is in no sense a question of religion, it is solely a quetion of language. The hon. member who seconded the motion now sees the error in drawing religion into discussion; perhaps after some more mature deliberation he will also see the error of introducing this subject here. The mover of the motion is, like myself, a Roman Catholic, but if he believes that a knowledge of the French language is a necessary qualification for a good Catholic, I must dissent from such a view, for I believe that it is the spirit in which a prayer is offered and not the language in which it may be offered, which will receive most consideration. The view of the English-speaking Catholics in regard to introducing religion into this discussion has been well expressed in a letter which recently appeared in the press from the pen of Rev. Father Whelan of this city, in which he strongly protests against the dragging in of religion into this discussion.

Let those from outside the province cease their uncalled for interference; let those within the province who hold divergent views on this subject present their views with moderation and in a spirit of good will; let our French-Canadians give rule 17 a fair trial, and I believe the good sense of all concerned will in time find a satisfactory solution for this difficult question.

The present is the most inopportune time to add fuel to any ill will that may exist over this question. British soldiers are to-day fighting side by side with their French allies in the trenches in Europe, and I have not seen anything in the despatches which would indicate that they are allowing this question of language to interfere with them.

It is fair to assume that the present alliance between the British and the French will foster a feeling of respect and good will which will last for generations. May we not also assume that it will have a like

effect upon the descendants of those races who go to make up the great majority of the population of the Dominion of Canada.

Hon. Mr. BOYER—Why should we not, while debating this question, take the solemn resolve of setting the Dominion a good example. I am to-day compelled to talk in a language which is not my own. Why should my English colleagues not pledge themselves with us that in answering me or any one of my race they should speak French and we should speak English. We should all benefit by the interchange of ideas in different languages, and I am sure we would set the country at large a very precious example in the way of independence in the free use of both languages. One point in the speech of my hon. friend from Compton (Hon. Mr. Pope) to which I took exception was in mentioning certain remarks of a member of Parliament who said that the French spoken in Quebec was not Parisian French. I should like to ask Mr. Morphy what he knows of French to judge the language by. I make no pretence of saying that the English which is spoken in Canada is as pure as the English which is spoken in England. I would not have the impudence to say so, although I might believe it. But to say the French we speak in Quebec is not Parisian French is not correct. Parisian French is Parisian French, and Canadian French is Canadian French. It is as pure as when it was imported into this country from Normandy, and thank God we have kept our language just the same as we have received it from our ancestors, without a flaw and without flinching. The hon. senator from Antigonish (Hon. Mr. Girroir) on the 9th of this month, when he rose to second the reply to the speech from the Throne, addressed the House in the language of his ancestors, and in doing so set us an example of perseverance, an example of which I was proud, and I could see in the faces of my hon. colleagues a regret that they could not follow his remarks in the French language. If ever a race had to suffer for its language and religion, the race represented by my hon. friend from Antigonish is an example. In 1755 they were taken body and soul, house and lot, and scattered to the four corners of the world. That was done with the idea of making them forget, not only their religion, but their language, and what success did the project meet with? Some of them went as far south as New Orleans, but they took root wherever they were transported, and to-day the Acadia race is stronger than ever, because it was fortified by persecution and exile. The only desire that existed amongst these men that were scattered to the four corners of the globe was to get back to their country, to reconquer it, to repractise the religion they were brought up in, but above all to take the language of their forefathers, which they have retained to this day. That was the precious example that was set us by the hon. member for Antigonish. I ask my colleagues not speaking my language to give us the opportunity to discuss the affairs of the country in both languages. If we did we would be richer by far, and I may add en passant that if my hon. friend the leader of the Government, who very often has to skate on very thin ice, answered us in French, he would walk on the surface of the water.

Hon. Mr. LOUGHEED—There would be a precedent for it.

Hon. Mr. BOYER: Mention has been made of an incident in 1913 at the International Geological Congress, where it was found that some of the greatest Canadians there present were unable to say a single word in French. May I call the attention of my hon. friend to an institution that was created in Rome in 1905 by the King of Italy. An American gentleman from the State of California took it into his head that agriculture should be syndicated; that all the great industries of the world had a centre, and that agriculture alone was left to its own resources. With that idea in view he tried his own country; he was refused. He tried England, France, Germany and Russia, and at last landed in Rome, where he had an interview with the King of Italy, and was granted what he asked. The King of Italy wrote a personal letter to every sovereign in Europe asking them to cooperate with him in founding an institute of agriculture. Forty nations responded to the call of the King of Italy, represented by forty ambassadors. Of these forty ambassadors, twenty-two spoke different languages, but the first clauses they put down in the constitution of the International Institute of Agriculture was that French should be the official language of the university and that all documents must be printed in French, and this was unanimously adopted by forty nations represented in Rome, and there has been no amendment to the constitution since. I have had the great pleasure of attending some of those meetings, and found there

men who could speak six, seven and up to nine languages, whilst to my regret I find that we in this Dominion of Canada are actually fighting for the possession of two languages. Could we not improve the state of our country; could we not benefit Canada from east to west and north to south if there were a more generous interchange of ideas in both languages, if the division between races were not so clean-cut, if we could make up our minds that we are all Canadians whether we speak French or English. We have invited foreign nations to come and settle and help us to build up this country. If we can take up their languages let us do so, and let these strangers see that they are welcome, that we are willing to help them, and that we are willing to learn their languages. This question of language has been fought since mankind was in the world. What effort has not been made throughout the world to abolish this, that or the other language. Take the case of Poland. In 1795 the last division of Poland took place. Their last king, a captive in Moscow, resigned and the last vestige of the kingdom of Poland disappeared. If you follow the history of Poland since 1795 what do you find? A systematic effort to abolish the Polish language, and a systematic effort to make the Polish race disappear. I ask my hon. colleagues have they succeeded? The Polish race to-day is stronger than it ever was, and let me give you the answer of a Polish patriot to the great German Kaiser, who tried to terrorize that part of Poland which is to-day part of Germany. He was told, "If you do not stop talking Polish I will have your tongue cut off." The Pole laughed and replied, "If you cut off my tongue I cannot speak but I can still write and will." When we follow the events in Poland, what did they not do in that place to make the people and the language disappear? Seven years ago there was a law passed in Germany that the German Government took upon itself the right to expropriate any property belonging to any Polish man throughout German Poland. Wherever a Polish patriot was found to be too active, the agent for the German Government would come in and simply fix a price on whatever estate he owned, and the owner would have to take German Government bonds and live on the interest. He was not allowed to settle anywhere in Germany, and was considered to be unfit and unwilling to be Germanized. We have an example which comes nearer to us. In 1704 Gibraltar was taken by the British. At the back of Gibraltar is distributed a very small population. I do not suppose there are more than 150 to 200 in the little small village behind the rock of Gibraltar which is called Catalans village. They are supposed to have descended from the Phoenicians, both having mixed up with the Spanish population which is in the immediate vicinity. Their language has been preserved, so history tells us, and so people who live amongst them say, in all its purity. Their customs, manners, and costumes have been preserved in all their purity, and to-day the small village is one of the greatest attractions of the rock of Gibraltar. Those of us who have had a college education are told that by regulation 17, any communication from the professor to the student must be in English. I would require some explanation as to that. I went through what we call in the province of Quebec a classical course, which consisted of learning French, English, Latin and Greek. We had through three successive years an Irish gentleman as professor of Latin and Greek. There were three English boys in my class, and the rest of us, some 20 or 21, were all French. Do hon. members think that if the professor when teaching us Latin or Greek, had used, as the language of communication either Latin or Greek that we have understood a word of what he was saying to us? The language of communication was the language of the majority of the class, and when he told us that he was going to propose such and such a word or sentence in either Greek or Latin, he first translated it into our own language, and then we had to deal with it to the best of our ability and understanding. How can my few compatriots that are scattered through Ontario, just living in their households where nothing but French is spoken, get along? How can you expect them to rise to the level of the other boys if they are spoken to in a language they do not understand? They will remain perfectly ignorant of what is going on in the school, but if the professor has the liberty to tell them that a horse is le cheval, or if he tells the boys, "Now that I have told you in French what a horse is in French, can you tell me what le cheval is in English"? the boy immediately answers "a horse." The language of communication helps both sides, and, as I have said, we have enjoyed the privilege throughout Canada of certain institutions which were vested in us by the Constitution. I cannot say that I regret the struggle that is going on just now, because liberties and privileges that we possess

without a struggle are not worth enjoying. I say a great deal of good will come out of the struggle. It will strengthen both sides. The best efforts on both sides will come out eventually hand in hand, and let us trust that this eternal question of race, of French and English, will disappear, that Ontario will learn French, that Quebec will learn English. We know it already, and are quite willing to take whatever is good in Ontario, and I have faith in my friends in the neighbouring provinces that they will take up whatever is good in Quebec. Let us join hands in making this question a question non-existent, and let us teach our boys to be Canadians and Canadians alone.

Hon. Sir MACKENZIE BOWELL moved that the debate be adjourned until to-morrow.

The motion was agreed to.

DISCONTINUANCE OF TRANSCONTINENTAL TRAINS.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion of the Honourable Mr. David:

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness shall submit to this House copies of all petitions to the Government, or any member of the same, and of all correspondence and documents in connection with the discontinuation of the trains of the Transcontinental between Abitibi and Hervey Junction.—(Hon. Mr. Legris.)

Hon. Mr. TESSIER—The hon. gentleman from Repentigny (Hon. Mr. Legris) is not going to speak on this question. I desire to thank the hon. gentleman from Mille Isle for having brought up a question which is of great interest to the province to which I belong, particularly the district surrounding Quebec city, and I wish to state to the hon. leader of the House that when it was known that the Minister of Railways had refused to encourage the running of this railway from Quebec to Cochrane, it was a cause of a great disappointment, and even of distress, amongst our people. When it was said that the Minister of Railways in a speech had mentioned that it was needless to operate this road because it would be useful only to a few shantymen, the statement created a great deal of dissatisfaction to the business men, and their sentiments were voiced by very important commercial men who are members of our Quebec Board of Trade. In their report, which is very well made, we can see the answer to this pretention of the Minister of Railways, that there was nothing to justify the demand to operate this railway, that there are only a few settlers and some shanty operators, who should guarantee the cost of the train service if they wanted it. The Board of Trade properly answered as follows:

This statement of the hon. Minister of Railways is so contrary to the opinion generally held in this province as to the extent and value of the lumbering operations of the St. Maurice Valley, of its vast water-powers, costly industrial establishments, valuable forests, and, in certain localities, land suitable for settlement, that we cannot help thinking that the Minister of Railways must have been wrongly advised in the information given him as to this country.

We have been always under the impression that since the cutting of the pine timber in the Ottawa district and elsewhere the St. Maurice had taken the first place for magnitude of lumber operations, not only in Canada, but possibly in America.

And the Board of Trade took the trouble to ascertain from reliable sources the number of men employed by those various industries and the amount of capital invested therein, and the investigation shows that there are a total of 10,500 men employed in those various industries in the different mills at Shawinigan, Grand'Mère, and others, and that they represent a capital of $48,000,000. The Board of Trade states:

In the face of all these facts, it is easy to see that Mr. Cochrane has not been furnished with proper data, and there should surely be no hesitation in believing that this railway is going to have a good local traffic.

I do not want to speak at length on this question, but I hope that the government will see its way to the operation of this road in the interest of all those in the country for whom it was intended.

Hon. Mr. CHOQUETTE—This is far from being a political question, it is an important business proposition with the Quebec people and all those settlers along this line which has been put before the Government of this country. I congratulate the mover of the resolution, and especially the hon. senator from Victoria, (Hon. Mr. Cloran), who has spoken with an intimate knowledge of that country, and spoken the plain truth. All the reasons brought forward are excellent; and it seems to me that long ago the Government ought to have resumed the trains on the line, at least between Hervey Junction and Abitibi. Not only is the city of Quebec interested, but the whole province of Quebec—Three Rivers, Montreal, and indirectly the whole

country is interested—in the continuation of the train service in that part of this country.

Hon. Mr. DAVID—And the Maritime Provinces.

Hon. Mr. CHOQUETTE—I said the whole country; including naturally the Maritime Provinces. I just wish to read some few remarks taken from the report of the Board of Trade of Quebec, to cite the fact that the hon. Postmaster General, as soon as he assumed office in the place of his predecessor, Mr. Pelletier, said that he took upon himself to fulfil all the obligations and promises made by his predecessor, and as a Quebec man he was most anxious that it should be done, and he answered that delegation from business men and from the Board of Trade, assuring the delegation of his sympathy. He took note of what had been said, and—I draw the attention of his colleague the leader of the Government to this—he declared positively that he had made it a primary condition of his going into the Government that all the works of Quebec entrusted to Mr. Pelletier should be executed, and in order to put himself in a position to know he had gone over all the works of Quebec, and he said, "You can rely on me as being most active, and your representation will receive my best attention." This was one of the first questions brought before him, and it is shown by records that the reasons brought forward struck him as being fair and reasonable. If the running of trains between Hervey Junction and Amos, which is the headquarters up there, were not resumed it would be the greatest hardship for the settlers, and would prevent population going there. It would scatter those who are there now, for they could not live there in winter without means of transportation, and by giving a bad name to that part of the country it would hurt the movement of settlers to that section. Hon. gentlemen will therefore see that this is not a political question, but a business proposition. After such an expression from the Postmaster General, a member of the Government, a minister knowing exactly the position in Quebec, and the consequences which must follow from a discontinuance of train service there, it appears to me that the word of the minister himself must be redeemed in the interests of Quebec, and I would add, in the interests of the Government. The running of the trains should be resumed at once. I may add that one of the reasons given by the Minister of Railways as quoted was that there were only a few settlers in that section. It has been proved that there are over 7,000 people settled there, employed in the lumber shanties, running mills and cutting wood with the expectation that this wood could be transported to Quebec or the lower provinces. We have been told that there would be a deficit of $40,000 to $60,000 per month per train. I do not admit that that is true. The contrary has been proven by letters from men living there; but even if it were true, what would be the total amount for six months? A quarter of a million dollars. What is a quarter of a million? This very morning they have been voting in the House of Commons a hundred millions for war and we do not complain; it is necessary, and it will pass unanimously in this House, too. But do you not think it would be worth while spending a quarter of a million dollars to open a country like that, to encourage settlers to go there who indirectly would recoup the Dominion expenses by the production of wheat, or grain, or lumber, enhance the trade of this country and bring back from other countries a lot of money to be returned to that place? In increasing the number of settlers there the Government would naturally increase the number of passengers and number of cars of freight, and thus recoup itself in the course of a few years. On the other hand, if you stop that service as it is now you are ruining that part of the country, ruining those that are already there, and hurting the country besides. To show the hardships of the poor people in that section let me refer to a letter to the mayor of Amos, Mr. Authier, on the 7th of January last, by one of the settlers, Mr. Blais. The writer says that as they have no train running, no means of communication, there are people who have been two days without provisions and obliged to walk 26 miles to get something to eat. The writer of this letter is a prominent citizen there, and he says that many have had their arms and legs frozen and are now in the hospital. He assures the mayor that there are at least 7,000 persons in the woods without any mail service or doctors; and we can see in what position they are. See what we are doing for the war, for the Red Cross, for the Patriotic funds. Do you not think it would be a patriotic thing to spend a few thousand dollars to help those people up there? More than that, this part of the

country is in the province of Quebec. Well, I appeal to the leader of the Government, and point out that the province of Quebec has done its duty about the war, about the Patriotic Fund especially. Is it not true that the province of Quebec has now given more money for the Patriotic Fund than all the other provinces, by many thousands of dollars? And they have done that with pleasure, though we may hear some cranks or some fanatics say that we have not done our duty. This is a question of justice for the district, for the people along the line, and even a question of honour for the Dominion and for the Government. If this were a Liberal Government, it would be perhaps still more a question of honour. And when the northern country has been opened, the Government of the day is responsible as a Government for what the past Government has done—when the country was opened up by the railway placards and booklets were published and sent all over the world inviting settlers to go there, stating that there would be a railway passing through those wild lands, and that settlers going there would get easy transportation rates and be able to develop that rich country. The road has been built, and settlers have gone there, and they expect that the road will be kept running in order that they may communicate with their people and get their products to market. I repeat that it is not only a question of justice to the settlers, but it is a question of honour for the Government of the country to continue the running of trains and enable the people who have gone there to settle that country. They will open the country in larger areas and make that district richer, more populous and above all most happy. I appeal to the Government to do this as a matter of justice and as a question of honour.

An hon. GENTLEMAN—Hear, hear.

Hon. Mr. DAVID—May I hope that the leader of the House will lay before this Chamber before the end of this session the documents for which I have asked.

Hon. Mr. LOUGHEED—Yes, I see no reason why that should not be done.

Hon. Mr. DAVID—Because I think they would complete the proof which I have undertaken to make, in spite of the assertion made by the hon. member from Lauzon that I was not well informed. I think that the documents when produced will make my position more evident.

The motion was agreed to.

Hon. Mr. CHOQUETTE.

YUKON PLACER MINING ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 67, An Act to amend the Yukon Placer Mining Act.

He said: Under the General Statutes dealing with the mining rights of the Dominion, power is given to pass Orders in Council whereby extensions of time may be given to those who have taken up claims. An Order in Council was passed on the 28th October in which all those who had enlisted for active service in the war had their mining rights protected for six months after the proclamation of peace. But it so happens under the Yukon Placer Mining Act, that power is not given to extend the time by Order in Council, and of course it is equally desirable that the same privileges and rights should be given to those who have taken up claims under the Yukon Placer Mining Act and who have entered upon active service. Consequently it is proposed by this Bill to give authority to extend the time. The same has been done by Order in Council, as to the other Dominion mining rights in favour of those who have entered on active service, until six months after the final termination of war and the final declaration of peace so far as the British Empire is concerned. I therefore move the second reading of the Bill.

The motion was agreed to, and the Bill read the second time.

SECOND READINGS,

Bill (P), An Act for the relief of Austin McPhail Bothwell.—Hon. Mr. Derbyshire.

Bill (Q), An Act for the relief of Agnes Gravelle.—Hon. Mr. Derbyshire.

Bill (R), An Act for the relief of Clara Elizabeth Darnell.—Hon. Mr. Derbyshire.

FIRST AND SECOND READINGS.

Bill (71), An Act respecting the Sterling Life Assurance Company of Canada—Hon. Mr. Edwards.

BILLS INTRODUCED.

Bill W, An Act to amend the Gold and Silver Marking Act of 1913.—Hon. Mr. Lougheed.

Bill (44), An Act respecting certain patents of the Lohman Co.—Hon. Mr. Edwards.

Bill (74), An Act to amend the Criminal Code.—Hon. Mr. Lougheed.

Bill (78), An Act to amend the Bank Act.—Hon. Mr. Lougheed.

MONCTON AND NORTHUMBERLAND STRAIT RAILWAY CO. BILL.

FIRST AND SECOND READINGS.

Hon. Mr. POIRIER introduced Bill (X), An Act respecting the Moncton and Northumberland Strait Railway Co.

He said: As I understand the Railway Committee will sit to-morrow forenoon, I would therefore ask to have the rules suspended and the Bill read the second time now, so that it may go to the committee to-morrow. Otherwise the chances are that it may not pass this session.

Hon. Mr. BOSTOCK—What is the object of the Bill?

Hon. Mr. POIRIER—It is an extension of an existing company. These Bills, almost as a matter of course, are granted their second reading and sent to committee, where they are discussed; so with the consent of this House I would ask permission to have the rules suspended and have the second reading just now.

Hon. Mr. DANDURAND—Has it been preceded by a petition?

Hon. Mr. POIRIER—It has, in both Houses.

Hon. Mr. DANDURAND—And the petition has been reported on by the Standing Orders Committee.

Hon. Mr. DERBYSHIRE—No.

Hon. Mr. POIRIER—Not that I know of. The Bill was sent to me from the House of Commons just now.

Hon. Mr. DERBYSHIRE—Better read it the first time first.

Hon. Mr. POIRIER—I will read it the first time, then.

Hon. Mr. DANDURAND—I understand that the petition has been reported upon by the Standing Order Committee?

Hon. Mr. POIRIER—If the petition has been reported upon I will again raise my demand that the second reading be granted now.

The Bill was read the first and second time.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE.

Thursday, March 25, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill No. 20, An Act respecting the Canadian Northern Railway Company.—Hon. Sir Melvin Jones.

Bill (X), An Act respecting the Moncton and Northumberland Straits Railway Company.—Hon. Mr. Poirier.

CATHOLIC MUTUAL BENEFIT ASSOCIATION BILL.

INTRODUCED.

Hon. Mr. McSWEENEY introduced Bill (Y), An Act respecting the Grand Council of the Catholic Mutual Benefit Association.

The Bill was read the first time.

Hon. Mr. McSWEENEY moved the suspension of rules 23-F, 30, 63 and 119 so far as related to this Bill.

Hon. Mr. TAYLOR—I had a letter from a gentleman asking me if I could furnish him with two or three copies of this Bill. Just before lunch time I went to the Distribution Office to inquire and they told me the Bill had not been printed. Under the circumstances I would not like to have the Bill put through all its stages without having it first distributed.

The motion to suspend the rules was dropped and the second reading fixed for to-morrow.

PUBLICATION OF "CONSERVATION" IN FRENCH.

INQUIRY.

Hon. Mr. LAVERGNE inquired:

1. Is the monthly publication "Conservation" published in French as well as in English?
2. In the affirmative, why is it distributed only in English?
3. In the negative, has the Government the intention of publishing it in French?

Hon. Mr. LOUGHEED—The answers are:

1. "Conservation is published in English only.
2. Answered by No. 1.
3. The question of publication in French is now under consideration.

GOVERNMENT PURCHASES OF BRITISH ARMY SERVICE REVOLVERS.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. How many revolvers of a pattern different to the British Army Service revolver have been purchased by the Government?
2. Can the British revolver ammunition be used with these revolvers?
3. How many have been issued to the officers up to date?
4. What price has been paid per revolver by the Government?
5. At what price have they been charged to the officers?

Hon. Mr. LOUGHEED—The answers are:

. The British Army are using revolvers of various types. The Canadian Government is supplying Colt's automatic pistol, with which many of the British officers are also supplied.

2. Answered by No. 1.

3. Five thousand have been purchased and are being issued as required. Exact returns not yet available.

4. No revolvers have been purchased. Pistols, $18.50.

5 $18.50.

CONTINGENT ACCOUNTS OF THE SENATE.

REFERRED BACK TO COMMITTEE.

Hon. Mr. POWER, from the Internal Economy and Contingent Accounts Committee, presented their fifth report and moved that it be taken into consideration to-morrow.

The motion was agreed to.

Hon. Mr. DANDURAND—With the leave of the House I would say that the report of this committee, which has been put down for consideration to-morrow has taken another form than the customary one. The report is practically a procès-verbal of our deliberations in the committee. I would suggest either that it be returned to the committee for reconsideration as to its form, or that it be not printed. There are decisions given which are negative as to different matters that have come before the committee. It has not been the custom to give minor details upon petty questions which come before the committee. I do not want to go into the merits of the report, but it strikes me as inopportune to publish this procès-verbal in our Minutes.

Hon. Mr. LOUGHEED—What does my hon. friend propose?

Hon. Mr. DANDURAND—I propose that we reconsider the fixing of this report for to-morrow, and that it be returned to the committee for reconsideration.

On the motion being put.

Hon. Sir MACKENZIE BOWELL—If that be done there should be no entry made on the journal of the contents of the report.

The SPEAKER—It is only reconsideration as to the form in which it should be presented.

Hon. Sir MACKENZIE BOWELL—I understand that. The object then would be to eliminate some portion of it. That being the case, it should not appear as having been presented.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DANDURAND—In order to emphasize just one point I would refer to the mention in the report of the fact that a payment to so and so does not appear to have authority or approval, and that some inquiry should be made as to why this was necessary. Well, such inquiry could be made in the committee.

The SPEAKER—With the understanding that the report is not to be printed now.

Hon. Mr. DANIEL—I do not quite understand the logic of the hon. gentleman who has made this motion. If we do not consider the report, how can we send it back for further consideration? We have to consider it before we know whether it should be sent back or what is to be done in the matter. It appears to me that the hon. gentleman answers himself. If there is anything objectionable in this report, that is, if the majority of the members of the Senate thinks there are things in the report that ought not to appear, or that had better be left out, then I think the hon. gentleman should ask the permission of the House to withdraw the report.

Hon. Mr. DANDURAND—That is my motion.

Hon. Mr. DANIEL—But for us to send the report back for further consideration without considering it at all would, I think, stultify this Chamber very much.

Hon. Mr. DANDURAND—It would not if my hon. friend would simply note the fact that the report was read at the table five minutes ago.

Hon. Mr. CHOQUETTE—It ought not to have been read either.

Hon. Mr. DANDURAND—So that we are cognizant of what there is in the report.

The motion was agreed to.

CANADA GRAIN ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (F), An Act to amend the Canada Grain Act.

He said: This is a small amendment which has been introduced at the request of the Winnipeg Grain Exchange. It provides that inspection and weight certificates shall be recognized as evidence in courts of law, and as being conclusive evidence therein.

The motion was agreed to, and the Bill was read the second time.

GOLD AND SILVER MARKING ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (W), An Act to amend the Gold and Silver Marking Act.

He said: Section 13 of the Act is amended as proposed by this Bill. Section 13 deals with penalties. Clause 14 is somewhat of the same character. Clause 15 deals with the metal of articles seized being made forfeitable to the Crown. The following clauses empower officers to seize and retain articles that may be found in possession of dealers in contravention of the law. The reasons that led the Government to amend the Act as proposed may be somewhat lengthy, and if hon. gentlemen desire further explanation, as doubtless they will, I shall be glad to make them when the House goes into committee on the Bill.

Hon. Mr. BOSTOCK—There is no alteration in the principle?

Hon. Mr. LOUGHEED—No, simply to make the Bill more practicable than it is.

Hon. Mr. POWER—I should like to call attention to paragraph (d) of the first clause, which reads as follows:

> Makes in Canada, sells in Canada, or imports or otherwise brings into Canada, an article to which any mark not authorized by this Act, or by regulation made under authority of this Act, is applied, or to which a mark is applied in a manner not so authorized, or which has not applied thereto any mark required by this Act, or by such regulation, to be applied thereto;
>
> In any other way contravenes any provision of this Act, or of any such regulation, as to the application of marks to articles.

Any one who imports an article of that kind is subject to a considerable fine. I think when we go into committee we should have a satisfactory explanation why so drastic a measure as that is required.

Hon. Mr. LOUGHEED—Without entering into any explanation, I may say that this is simply following out the principle of the Act. It is the logical outcome of the principles which we have adopted and which govern the Act.

Hon. Mr. POWER—Following out the "Made in Canada" principle.

The motion was agreed to, and the Bill was read the second time.

YUKON PLACER MINING ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 67, An Act to amend the Yukon Placer Mining Act.

(In the Committee.)

Hon. Mr. LOUGHEED—As I explained yesterday, this brings the Yukon Placer Mining Act into harmony with the General Mining Act of the Dominion. Orders in Council have been passed by the Government respecting the extension of mining claims in favour of those who are in active service, but under the Yukon Placer Mining Act that authority has not been given; that is to say, the Government has not authority by Order in Council to make the extension which we have in view.

Hon. Mr. BELCOURT—I am fully in accord with the principle of the Bill, but it does not seem to be explicit enough. The clause reads as follows:

> 3. Any person who may be accepted for and who continues in active service in the defence of the Empire during the war of 1914-15, whether with the British or Allied forces, and who may be holder of mining rights acquired under the provisions of this Act, shall be permitted to hold such rights free from the risk of cancellation owing to failure to comply with any of the requirements of the Act under which the rights were acquired, until six months after the final termination of the war and the final declaration of peace, in so far as the British Empire is concerned."

I am afraid the language of the clause would imply a continuous service as long as the war lasts.

Hon. Mr. LOUGHEED—At the end you will find the term of the restriction.

Hon. Mr. BELCOURT—No. It says "who may be accepted and who continues in active service in defence of the Empire during the war of 1914-15 whether with the British or Allied forces," etc. I am afraid that this might be interpreted as meaning a continued service during the whole war so long as it lasts. I do not think that would be fair. Somebody volunteers to-day, and is accepted; he begins active service, but he is wounded next month. He comes back and is no longer in active service during the war of 1914-15. He will only have been in active service during a portion of the war of 1914-15. I think that should be made clear. I understand the object of the Act is to relieve the Yukon placer mining owners from the necessity of doing actual work on their claims. That party might not come within the exception.

Hon. Mr. ROSS (Middleton)—I understand when a man enlists he is enlisted until the end of the war, and unless this wounded man got his discharge, he would be in active service. I do not see any necessity for the amendment. It all depends upon the terms of enlistment.

Hon. Mr. BELCOURT—The condition is a double one, that he is accepted and that he continues in active service during the war of 1914-15.

Hon. Mr. ROSS (Middleton)—He is in active service the very moment he takes the oath, but he might be discharged. We might include "unless discharged."

Hon. Mr. CLORAN—They won't discharge him.

Hon. Mr. LOUGHEED—Will my hon. friend suggest how we should amend it, and we will take it into consideration and the committee will rise.

Hon. Mr. BELCOURT—We might insert the words "during any portion of the war of 1914-15."

Hon. Mr. LOUGHEED—That might result in a public abuse in this sense, that a man might bring about his discharge from active service shortly after he had entered the service; in that case he should not enjoy all the rights and privileges of those in active service.

Hon. Mr. BELCOURT—The great difficulty will be found in the way you have it.

Hon. Mr. POWER—Could we not add a rider to this clause to the effect that one who is wounded should not lose his rights under this section.

The CHAIRMAN—He may be sick from other causes.

Hon. Mr. BELCOURT—It seems to me that if a man enlists and gives his service, that will be sufficient to entitle him to be relieved of assessment work, because the assessment work is not made in a day or a month, and ample provision must be made for it, and remember that that work can only be done during the period from the month of June to October. I take it that if anybody enlists and is accepted and begins active service he should be exempt from this work.

Hon. Mr. LOUGHEED—I appreciate the objection made by my hon. friend and think they are well founded. In the meantime I shall have the draftsman give further consideration to this feature. I move that the committee rise, report progress, and ask leave to sit again.

Hon. Mr. DANDURAND, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again.

BANK ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill 78, an Act to amend the Bank Act.

He said: The object of these amendments is to permit of loans being advanced by the banks on the security of any crop to be grown from seed grain upon which a loan may have been made. It is a new departure which is manifestly in the interest of the farmer, that he should have the opportunity of invoking the assistance of the banks in connection with this branch of his farming operations. The Bill proposes that the bank should be enabled to make advances on seed grain, and should take a lien upon the standing crop. I might say that the security is taken by way of hypothecation receipt. This subject has been taken up with the banks, and the banks approve of it. The idea has not originated with the banks, but rather with those who have been advocating the interests of the farmer.

Hon. Mr. BELCOURT—It is merely an extension of a principle which is already in the Bank Act.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. McSWEENEY—But the banks are not bound to advance money?

Hon. Mr. LOUGHEED—No, they may use discretion the same as they do in all their transactions, but it makes a security valid which is not now contemplated under the Bank Act.

Hon. Mr. BOSTOCK—Does this affect the question of mortgages which a farmer may have against his property? Will he be put in any more favourable position?

Hon. Mr. LOUGHEED—The lien upon the crop of the seed grain upon which the money has been advanced will take priority of any mortgage on the property.

Hon. Mr. THOMSON—But only on the grain?

Hon. Mr. LOUGHEED—Only on the grain, not on the land itself, but simply on the crop.

Hon. Mr. BELCOURT—There should not be any objection to that, because, after all, the chattels on a man's farm may be chattel mortgaged even if there is a mortgage on the farm.

Hon. Mr. WATSON—In Manitoba at present it is customary for a person to take a chattel mortgage on the crop of seed grain.

Hon. Mr. BELCOURT—We have that in this province; you can chattel mortgage your goods.

Hon. Mr. LOUGHEED—But hon. gentlemen will see that it will be necessary to give banks authority to do that, because under the Bank Act they would not have such authority.

Hon. Mr. THOMPSON—Would the lien, or chattel mortgage, be recorded in Manitoba?

Hon. Mr. WATSON—I do not think so.

Hon. Mr. THOMPSON—I understand a lien given to the bank is not recorded?

Hon. Mr. WATSON—I do not think they are recorded in Manitoba for seed grain.

The motion was agreed to, and the Bill was read the second time.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

Hon. Mr. POWER moved the adoption of the Fourth Report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

He said: I just wish to say with respect to this statement as to what is saved, that the savings are effected without any substantial diminution of the privileges of the members or the officers of the House. The sub-committee to whom the question of stationery was submitted went very carefully over the list of goods furnished and did not omit anything from the list that could be considered really stationery and as in any sense necessary for the use of members either when they returned to their homes or during their stay in Ottawa; so that the saving, as is shown by the report, will amount to $3,578, without in any degree interfering with the rights and privileges of the members or the advantages they have heretofore enjoyed.

The motion was agreed to.

ONTARIO BI-LINGUAL SCHOOL QUESTION.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion moved by the Honourable Mr. David, seconded by the Honourable Mr. McHugh:

This House, without derogating from the principle of provincial autonomy deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bi-lingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation, and with the spirit of our constitution.

Hon. Sir MACKENZIE BOWELL—By permission the Hon. Senator Mason from Toronto will continue the debate.

Col. the Hon. Mr. MASON—I quite agree with the hon. gentleman from Ottawa that the discussion arising from the motion now before the House be treated in a non-partisan and non-political manner, but it will not be a matter of much surprise to find the different arguments and statements contained in the discussion of the subject being made use of for election purposes or during an election campaign. Let us hope that this will not be the case.

The motion before the House desires an expression of regret that divisions seem to exist among the people of the province of

Ontario in connection with the bi-lingual school question, and that it would be in the interest of the Dominion at large that the questions should be considered on fair and patriotic lines and settled in a way to preserve peace and harmony between the different national and religious sections of the country. The question naturally arises what are the divisions referred to and in what way the peace and harmony between the different national and religious sections of the country are disturbed by them. I think it will be admitted that the troubles and discords stated to exist are confined entirely, or almost so, to one denomination, of which I am a member, viz.: the Roman Catholic, and the schools at which the children of that denomination attend, that is the Roman Catholic Separate Schools and the Public Schools where the majority of pupils are Roman Catholic. I think it would have been much better if, before this subject was brought before so important and public a body as the Senate of Canada, that peace and harmony could be brought to prevail among the adherents of the Church named, and that being accomplished, any grievance such as the motion before the House points to, could be presented with a united front; but while so much disunion and difference of opinion prevails among the section of the people thus affected, a settlement such as is desired by the motion would seem to be too difficult of accomplishment.

In order to make clear what I have stated, I would refer in the first place to the troubles prevailing in the eastern section of this province of Ontario, and this I can best do by quoting from the proceedings of the action at law called The Ottawa Separate School Case, or the Roman Catholic Separate Schools of the city of Ottawa. In the statement of case of supporters of English schools it is stated, and correctly, as follows:—

1. There are only two classes of primary schools in Ontario public and separate.

2. For the purposes of this case, separate schools may be taken to mean Roman Catholic separate schools,—that is to say separate schools established and maintained for members of the Roman Catholic denomination, hence denominational schools.

3. English is the official language of the province of Ontario, and the recognition of any other language in the primary schools, to the impairment of instruction in English, and the detriment of these schools is an infringement upon the constitutional rights of English-speaking supporters.

4. Roman Catholic separate schools established at the union were, in law, English schools. No class of persons then had any right or privilege with respect to the use of any language other than English in these schools.

5. The British North America Act, 1867, section 93, provides as follows:

In and for each province the Legislature may exclusively make laws in relation to education subject and according to the following provisions—I shall quote only the first:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union.

I shall now proceed to quote from the judgment of His Lordship Mr. Justice Lennox in that action, delivered on the 28th of November, 1914:

There are only two classes of primary schools in Ontario, "public and separate schools. "Public school" or "separate school" simply imports an English school. For convenience the Department of Education annually designate certain schools attended by French-speaking pupils as English-French and these may be either public or separate schools. The defendants, that is the board of trustees of the Roman Catholic separate schools of the city of Ottawa, have under their charge 192 Roman Catholic separate schools, of which 116 are English-French.

The main issue to be determined in this action is the validity or invalidity of certain provisions of the school laws of Ontario, and particularly of instruction or Regulation No. 17, of the Department of Education, issued in June, 1912, and August, 1913, I will deal with this issue first.

His Lordship then went on to deal with what he considers the main issue, and sums up as follows regarding it:

"The result is that the defendants have wholly failed to show that instruction or Regulation 17 of June 1912, or of August 1913 of the Department of Education for Ontario, or the manner in which these instructions have been or are being administered by the department prejudicially affect any right or privilege with respect to denominational schools which the defendants as a class of persons had by law in the province at the Union; and the result is; that it does not appear that these instructions or the manner of their administration of the statutes on which they are founded are ultra vires of the provincial Legislature. It follows, as a consequence of course, that they must be obeyed. That they have been flagrantly disregarded, defiantly and ostentatiously repudiated and set at naught by a majority of the Ottawa Separate School Board, is not and could not be denied. It would serve no useful purpose to particularize the evidence of this. It is for the department—the law being declared—to see that the law is obeyed."

Still quoting from His Lordship's judgment, he says:

The attachment of the French Canadian people, including the French speaking trustees, to their mother tongue is easily understood, and is not to be ruthlessly condemned. That in all sincerity they should conceive it to be an

imperative duty to guard what they regard as right, I can well understand. The maintenance of our religious rights is admittedly of paramount importance to us all. The tense feeling inevitably engendered by the discussion of a dual language and its evil consequences, is unfortunately not a novel phase of our national development. I should be careful not to accentuate this unhappy strife. If the judgment I have just pronounced is right, the defendants have no just ground of complaint and I have so declared. The tactics resorted to were unfortunate and illegal and I have condemned them. They cannot be too severely condemned."

Continuing in connection with this case, I shall now quote from a letter addressed by the English trustees, six in number, to the Hon. Mr. Hearst, Premier of Ontario, and the Hon. Dr. Pyne, Minister of Education for Ontario, dated February 20, 1915. The letter begins as follows:

"The most important question that the Legislation of Ontario has to deal with this year is that of the bi-lingual schools.

"At the last election the Government adopted as its platform the putting into force of Regulation 17. The people of Ontario will naturally expect the fulfilment of that pledge. The agitation against Regulation 17 is now without any other basis than the desire that Ontario, an English-speaking province, should become a bi-lingual province where English and French would have equal footing. That is the clearly defined and openly avowed policy of the opponents of Regulation 17. All the other arguments have collapsed. The attempt to show that Regulation 17 was against the natural law has likewise failed. The natural right of the French child to learn English in an English province, and the natural right of the English children, Catholic and Protestant, in bi-lingual districts to have an efficient English education would necessitate the framing of some such regulation as Regulation 17, were that regulation not in existence.

Turning to the other end of the province of Ontario, where bi-lingual schools exist, that is in the county of Essex, I cannot do better than quote from statements made by the Roman Catholic Bishop of the diocese of which the county of Essex forms a part. He states:

"That he has been assured that in certain parts of the county of Essex, there are children going to the public schools who are unable to speak the English language, and this three generations after their ancestors had arrived in this country. Assuredly one could see nothing more to prove that the teaching of English has been completely neglected among the French Canadians of this region."

His Lordship gives his opinion as follows:

"We belong to an English province.

"We live in an English-speaking continent where all the children, boys and girls alike, should go out from the schools to face the battle of life armed therefor with the English language at whatever cost. If, moreover, they are able to command in addition, French, Italian, Polish or any other language, well and good, but it is absolutely imperative that the ground work of this education should be in the English language."

While admitting the desirability and fairness of the privileges given in the province of Quebec and the Parliament and the courts of the Dominion for the use of the French language, I think it is no harm to go back to the Treaty of Paris, in order to show that these rights were not given at that time, but have since been acquired.

The Treaty of Paris was signed in February, 1763, and the following October King George issued a proclamation defining the limits of the new dependency (Canada), prescribing how it was to be governed and the conditions on which settlers could rely.

The royal proclamation declared:

"All persons inhabiting in, or resorting to, our said colony, may confide in our royal protection for the enjoyment of the benefit of the laws or our realm of England."

The proclamation instructs the Governor to constitute courts for trying cases, both civil and criminal, as near as may be agreeable to the laws of England. There is not a word in the proclamation modifying this assurance of English law to whomsoever should settle in Canada, and not a word of any exception in favour of the French Canadians. This proclamation of the King is unqualified and absolute in placing Canada under the same conditions as Massachusetts or New York.

In December, 1763, General Murray received his appointment as Governor of the province of Quebec, with minute instructions as to what he was to do. The following were the directions he was to follow in ecclesiastical affairs:

"And whereas we have stipulated, by the late definitive treaty of peace, concluded at Paris the 10th February, 1763, to grant the liberty of the Catholic religion to the inhabitants of Canada, and that we will consequently give the most precise and most effectual order that our new Roman Catholic subjects in that province may profess the worship of their religion according to the rites of the Roman church, as far as the laws of Great Britain permit; it is, therefore, our will and pleasure that you do, in all things regarding the said inhabitants, conform with great exactness to the stipulations of the said treaty in this respect."

"You are not to permit of ecclesiastical jurisdiction of the See of Rome, or any other foreign ecclesiastical jurisdiction whatsoever in the province under your Government."

In these instructions there is not a word as to the French language, while as to courts and laws, General Murray is advised

to copy those of other American colonies, especially of Nova Scotia. These are the facts of the treaty: (1) The French king asked that the article of the treaty regarding religion read so as to leave the priests their old status. (2) This the British not only refused, but inserted words to make it clear the priests would only have the status allowed by the English laws then in force. (3) To make the matter more definite an article was included in the treaty declaring the French king made over his subjects in Canada without restriction. (4) Following the treaty King George issued a proclamation declaring English law to be the law of Quebec. (5) The priests recognized they possessed no longer the status under the French regime by not exacting tithes or dues by law. (6) The instructions to the first Governor were that he was not to permit any ecclesiastical jurisdiction of Rome in the province, and was told the intention was to make the Church of England its established church.

In the beginning of May, 1774, the British Government without previous notice, laid before the House of Lords a Bill to provide for better government of the province of Quebec. It met with no opposition, and in a fortnight was adopted and transmitted to the House of Commons. It was a short Bill, embodying three important enactments:

Restored French law.

Repealed test oaths and invested the priesthood with authority to levy tithes and dues.

Provided that the province be ruled by a governor and nominated council.

Amendments to this Bill met with considerable opposition in the House of Lords.

What were the changes made by this Act which caused so much discussion? The fifth is the vital section, and reads:

"And for the more perfect security and ease of the minds of the inhabitants of the said province, it is hereby declared, that His Majesty's subjects, professing the religion of the Church of Rome, and in said province of Quebec, may have, hold and enjoy the free exercise of the religion of the Church of Rome, subject to the King's supremacy, and that the Clergy of the said church may hold, receive, and enjoy their accustomed dues and rights, with respect to such persons only as shall profess the said religion."

The eighth runs thus:

"That all His Majesty's Canadian subjects within the province of Quebec, the religious orders and communities only excepted, may also hold and enjoy their property and possessions, together with all customs and usages thereto, and all other civil rights as may consist with their allegiance to His Majesty, and subject to the Crown, and Parliament of Great Britain; and that in the matters of controversy, relative to property and civil rights, resort shall be had to the laws of Canada, as the rule for the decision of the same."

What then do we find? That neither the treaty nor any of the Imperial documents has a single word about the French language. The assertion that its official use was then guaranteed has not a tittle of evidence to rest upon.

The use of French as an official language came gradually, and as circumstances from time to time showed the necessity of it in a country where it was the language of the people and no other tongue could be then understood by them, and the British North America Act 1867, Clause 133, provides as follows:

"Either the English or the French language may be used by any person in the debates of the Houses of the Parliament of Canada and of the Houses of the Legislatures of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act, and in or from all or any of the courts of Quebec.

The Acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those languages."

Let us now turn to Regulation 17, which is the document complained of. I shall begin with section 3:

3. Subject, in the case of each school, to the direction and approval of the chief inspector, the following modifications shall also be made in the course of study of the public and separate schools:

The use of French for Instruction and Communication.

(1) Where necessary in the case of French-speaking pupils, French may be used as the language of instruction and communication; but such use of French shall not be continued beyond form 1, excepting that, on the approval of the chief inspector, it may also be used as the language of instruction and communication in the case of pupils beyond form 1 who are unable to speak and understand the English language.

Special Course in English for French-Speaking Pupils.

(2) In the case of French-speaking pupils who are unable to speak and understand the English language well enough for the purposes of instruction and communication, the following provision is hereby made:

(a) As soon as the pupil enters the school he shall begin the study and the use of the English language.

(b) As soon as the pupil has acquired sufficient facility in the use of the English language he shall take up in that language the

course of study as prescribed for the public and separate schools.

French as a Subject of Study in Public and Separate Schools.

4. In the schools where French has hitherto been a subject of study, the Public or the Separate School Board, as the case may be, may provide, under the following conditions, for instruction in French reading, grammar, and composition in forms I to IV (see also provision for form V in public school regulations 14 (5) in addition to the subjects prescribed for the public and separate schools;

(1) Such instruction in French may be taken only by pupils whose parents or guardians direct that they shall do so and may, notwithstanding above be given in the French language.

(2) Such instruction in French shall not interfere with the adequacy of the instruction in English, and the provision for such instruction in French in the time-table of the school shall be subject to the approval and direction of the chief inspector and shall not in any day exceed one hour in each class-room, except where the time is increased upon the order of the chief inspector.

(3) Where (as permitted above), French is a subject of study in a public or a separate school, the text-books in use during the school year of 1911-1912, in French reading, grammar, and composition remain authorized for use during the school year of 1913-1914.

It is contended by those in sympathy with the motion that sufficient time is not given to the French pupil to receive the necessary instructions in his own tongue in the time allotted. With this view I do not agree, as in section 4 it is provided that under certain circumstances instruction in French reading, grammar and composition may be conducted in the French tongue in forms 1 to 4, and that, while it is stated the time limited for such instruction cannot in any day exceed one hour in each class-room, bear in mind it states—in each class-room—and should there be in the school several class-rooms, then several hours could be allowed, and in any event, should the time so allotted not be considered sufficient, it may be increased on the order of the chief inspector; so that every due allowance is made for the schools where of necessity the pupils speak the two languages, English and French, and the regulations are intended to deal as fairly as is possible with these cases in which it is so difficult to completely satisfy both sides. It is generally conceded that the knowledge of English is absolutely necessary for success in life of residents in the province of Ontario, and to send out a French boy living in Ontario, without such knowledge is placing upon him a severe handicap. And, as His Lordship the Bishop of London so emphatically states, that this being an English-speaking continent—North America is meant—it would follow that many boys and girls brought up in the province of Ontario without acquiring a knowledge of the English language when grown up may go to the United States, to where such a number of our population gravitate, and find themselves at a distinct disadvantage without a knowledge of English.

To further illustrate the importance attached to a knowledge of the English language, I may relate the following circumstances:

I was in the city of Havana some two or three years ago, and among the places of interest I visited was a college for boys under the charge of the Jesuit Order. This college was founded some 150 years ago by a Spanish Queen. It is a very large and flourishing institution, having some 400 boys as pupils, representing the best families in the island of Cuba. I was told by one of the professors that it was well recognized that a knowledge of the English language was considered essential for success in business, and so much so that the study of that language is made compulsory in the college.

Reference has been made by some hon. gentlemen in speaking to the motion, to the fact that in the present war French and English soldiers are fighting side by side in the cause of liberty and civilization. I think it no harm, in fact, my duty, to say in that connection, I believe the present a most inopportune time to bring about a discussion which may result in widespread bitterness and ill-feeling in this country, and at a time when is is so essential, that every element should be in harmony, as it will require our utmost efforts here in Canada and in every other portion of the British Empire to bring to a successful conclusion in the interests of humanity and of everything we as a nation prize and hold dear, this dreadful war; and I trust that taking this into consideration, if for no other reason, the hon. gentlemen who introduced the motion into this House will see fit to withdraw it.

Before concluding my remarks, I should like to appeal to the good sense of the people of the Roman Catholic denomination, French and English, and more especially to the clergy, who could have no higher duty, to make every effort to put an end to the unseemly contentions that exist between them, and which now have become so public. No truer saying than "that a house divided against itself, shall fall," and it does not need a prophet, nor the son of a prophet, to see that the end

of this strife will be most disastrous. A weakening of the faith, beginning with the children, who are being scandalized, and to more than likely destroy the efficiency of the separate schools, and so probably put an end to an institution they have so strenuously striven for.

Hon. Mr. POWER—I suppose I might be expected to apologize to the House for undertaking to discuss the question that is now before it for the reason that I have not made myself familiar with the proceedings that have taken place in connection with the question on which the motion made by the hon. gentleman from Mille Iles and the amendment moved by the hon. gentleman from Lauzon are based; but if hon. gentlemen will consider a little they will see that perhaps the fact that I do not know much of the details of the difficulties is rather an advantage to one looking at it from the point of view of a member of this House than otherwise. I think it only right to say that the hon. gentleman from Mille Iles and the hon. gentleman from Victoria, and the other hon. gentlemen who have advocated the resolution and the amendment—

Hon. Mr. CLORAN—I have not done so.

Hon. Mr. POWER—I refer to the hon. gentleman from Victoria, Ontario; perhaps I should say the hon. gentleman from Lindsay—and the hon. gentlemen who succeeded them, speaking in favour of the resolution. Their language was moderate, and no fault could be found with what they said; but as the discussion progressed the general, and one may say the senatorial character of the discussion tended to disappear, and we got into details, and rather strong things have been said, particularly in advocasy of the resolution and the amendment. I may say now that before the matter came into this House, and shortly after it came here, my own feeling, although not knowing much about the details and merits of the differences between the various parties, was that the regulation made by the Ontario Department of Education was perhaps on the whole somewhat drastic, and one which might have been moderated with advantage to all concerned; and I may say that my opinion on that point, while not as strong as it was, has not been altered. One reason why my opinion is not as strong as it was is that we have had here on the floor of this House hon. gentlemen, like the hon. gentleman from South Bruce, and the hon. gentleman from Toronto, who has spoken just now, taking the other side, contending that no fault is to be found with the Ontario Government and that there is no substantial ground for complaint. This point of view does not appear to be confined to the English speaking members of the church to which I belong. I find that a gentleman who occupies a rather prominent position amongst the French Canadians of Ottawa, Mr. Vincent, has recently issued a pamphlet in which he undertakes to defend the action of the Ontario Government. I think we should be very slow, finding there is such a diversity of opinion, to undertake to interpose in the discussion, to express an opinion one way or the other. As to the merits of the question, I do not know about the exact rights or wrongs; but I know there are differences of opinion even amongst the members of the church to which I belong. Some speeches delivered here—and I might specially perhaps refer to the speeches delivered by the hon. gentleman from De Lorimier, and the hon. gentleman from Toronto, and particularly that of the hon. gentleman from De Lorimier—are speeches which might very well have been delivered in the Legislative Assembly of Ontario, but are not speeches which we should be called upon to listen to in this House. The point is that the subject of education is a purely provincial question, and if we are to have harmony and good-will in this Dominion that end can be obtained only by each power, each authority in the Dominion keeping within its own jurisdiction and not undertaking to trespass upon the jurisdiction of other authorities, however good our intentions may be; and there is no doubt but that the intentions of the hon. gentleman from Mille Iles were of the very best. Any one who knows the hon. gentleman will admit that his intentions are always for the public good. I must say, however, that I was somewhat surprised that the hon. gentleman, who is above all things an advocate of provincial rights, should have stood up in this Chamber and undertaken to ask the Senate to express an opinion on a subject which is completely out of our jurisdiction and which belongs to the province. If the Government or Legislature of Ontario had asked for an expression of opinion from the Senate on this question, then this discussion might be well enough; but they have not, and not only have they not asked for the introduction of the subject here, but they resent it and object to it; and they are in the right, and we are putting ourselves in the wrong if we under-

take to interfere. The only effect of our interfering—and I think that effect has been already felt to a very considerable extent—is that instead of peace and harmony being promoted, the two parties are becoming more intense and determined in their respective attitudes; and the longer the subject is discussed the more pronounced will become the attitudes on both sides. The Legislature of Ontario and the Government of Ontario are not likely to take advice from us, and then the Senate will be in the position of having interfered in a quarrel where its interference was not asked, and where it had no right to interfere. Now I do not think that that is a position that the Senate should put itself in. Then I might say one or two words about the course adopted by the gentlemen who complain of this Regulation 17. I do not undertake to defend Regulation 17. My own impression is that that regulation might be modified in the interests of the French-speaking people, with great advantage to the whole country. As to that I agree with the hon. gentlemen who have supported the resolution and amendment; but it must be remembered that we Catholics are in the minority, and that we should at any rate act in such a way as not to antagonize or irritate the majority. Looking at the question from that standpoint, I think that the gentlemen who are protesting against this regulation and resisting it have adopted an injudicious course. The separate school law of Ontario has been in operation for a good many years. It was first introduced in 1863 by the hon. gentleman who formerly led this House, the Hon. Sir Richard Scott.

Hon. Sir MACKENZIE BOWELL—That was not the origin of it; that was an amendment to the law as it then stood on the statute book.

Hon. Mr. POWER—The hon. gentleman knows a great deal better than I do what took place, but I know that the Act of 1863 was the one that was generally spoken of.

Hon. Sir MACKENZIE BOWELL—Quite so.

Hon. Mr. POWER—Although, as I say, I do not know much of the details of the difficulties between the Ontario Department of Education and some of the people who come under their jurisdiction, I know this, that since the year 1867 the Government of Ontario have administered the separate school law in a fair and generous spirit.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. POWER—I know that wherever any reasonable request for an amendment of the law, and its improvement from the point of view of the Catholics, has been made, the Government of the province has always shown a disposition to meet the views of the Catholic minority.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—Now, that is the position; and that being the position, when this Regulation 17 was passed, and it was not satisfactory to a large section of the Roman Catholics of Ontario, what would the reasonable and proper course of the persons who felt themselves aggrieved have been? Was their proper course to act as they did— to refuse to obey the law, to refuse to admit the inspectors into their schools, and to set the law of the province at defiance? That was not the line to take. I think, and I humbly submit, that the line that sensible people, people without strong prejudices, would have taken, would be to accept the law, obey the law, and then point out to the Government of Ontario just how they laboured under a grievance with respect to this question of the French language. If the French speaking people had taken that line instead of disobeying the law and resisting the officers of the law, I am satisfied that before this time the whole matter would probably have been settled in a way satisfactory to all concerned.

Hon. Mr. BELCOURT—Will the hon. gentleman allow me to ask him this question: Are we to understand from his statement that he pretends that no representations of that kind were made to the Ontario Government?

Hon. Mr. POWER—I can not pretend to anything that I do not know, but I know this—

Hon. Mr. BELCOURT—The hon. gentleman should not make the statement then.

Hon. Mr. POWER—I know that complaints made against the action of the Government have been discussed to a very considerable extent; but I have never seen anywhere a statement showing that there had been a respectful and persistent effort made on behalf of the French-speaking people to the Government or Legislature of Ontario.

Hon. Mr. BELCOURT—If my hon. friend wishes it I will put half a dozen of them before him.

Hon. Mr. POWER—Well those things have not made their way before the public; they have been kept carefully concealed.

Hon. Mr. BELCOURT—Oh, no, not concealed.

Hon. Mr. POWER—Perhaps the hon. gentleman will allow me to go on. The hon. gentleman is a party to this difficulty, and I do not think—if I may be allowed to say so—that he approaches the question in that spirit of aloofness which should characterize a senator in dealing with this question.

Hon. Mr. BELCOURT—I only want the hon. gentleman to state the case fairly.

Hon. Mr. POWER—No matter what answer the Government of Ontario may have made to the first application—I assume from what the hon. gentleman says that there was an application made—but even if the first application is not—

Hon. Mr. BELCOURT—There were dozens.

Hon. Mr. CLORAN—From whom?

Hon. Mr. POWER—I cannot undertake to contradict the hon. gentleman when he says there were dozens of applications made.

Hon. Mr. BELCOURT—So there were.

Hon. Mr. POWER—It is very remarkable that the characters of these applications have been kept so carefully concealed. I should add that the results of the action that has been already taken in the Senate and the speeches that have been made are not such as we can congratulate ourselves upon. We have simply strengthened the sentiment of hostility which exists in parts of the province of Ontario towards our French fellow-citizens, and on the other hand we have intensified the feeling of hostility to the English-speaking people of Ontario which begins to exist amongst the people of Quebec; I think these results are just the reverse of the results that the hon. gentleman from Mille Iles wished to bring about. Before sitting down I should like to put this question: suppose that in the province of Quebec the Protestant minority wished to have some change made in the law with respect to the taxes paid by corporations, and an application was made to the Government of Quebec to make a change in that respect, and that the Government of Quebec, which has always dealt very generously with the Protestant minority there did not see its way at once to make the change, would any hon. gentleman feel that this Senate was justified in interfering on behalf of the English-speaking minority in Quebec? I think not, and I am satisfied that my hon. friend from Mille Iles and the hon. gentleman from De Salaberry would be quite emphatic in their declaration that we were attempting to infringe upon provincial rights. I suppose I have talked a little too long.

Hon. Sir MACKENZIE BOWELL—No, no.

Hon. Mr. POWER—The resolution although couched in very moderate language does not satisfy me; neither does the amendment moved by the hon. gentleman from Lauzon. That amendment, while it is still more moderate in language than the original resolution, is simply substantially the same thing. When those two resolutions are taken in connection with the speeches made in support of them, you will find that it is all the same thing—it is just this difficulty which has arisen in the city of Ottawa; substantially that is what all the trouble is about. Therefore, I move to amend the amendment so that it will read this way:

This House, while it believes that it is in the interest of the Dominion at large that all questions as to which divisions exist among the people of any province should be considered on fair and patriotic lines and settled in such a way as to promote peace and harmony between the different racial and religious elements of the population, is of opinion that inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces, any suggestion volunteered by the Senate as to the manner in which any province should exercise those powers would be contrary to the spirit of the constitution and calculated to intensify and extend any divisions of feeling that now exist.

Hon. Sir MACKENZIE BOWELL—I think we should have a little time to consider the amendment which has been proposed by the hon. member from Halifax, and, therefore, I move that the debate be adjourned until Tuesday next, second sitting of the House (if two sittings are held on that day), to be the first order of the day after third readings. I have been requested to make this motion.

The motion was agreed to.

BILLS INTRODUCED.

Bill (75), An Act to amend the Customs tariff, 1907.—Hon. Mr. Lougheed.

Bill (79), An Act to authorize certain extension of time to insurance companies.—Hon. Mr. Lougheed.

FIRST, SECOND AND THIRD READINGS.

Bill (Z), An Act for the relief of Thos. Batin Harries—Hon. Mr. Talbot.

Bill (A-1), An Act for the relief of William John Owen Delaney.—Hon. Mr. Talbot.

Bill (B-1)), An Act for the relief of Edith May Webster Boydell.—Hon. Mr. Taylor.

Bill (C-1), An Act for the relief of William Robert Delaney.—Hon. Mr. DeVeber.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Friday, March 26, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

PURCHASE OF TORPEDOES FOR SUBMARINES.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

1. How many torpedoes did the Government receive with the submarines purchased by Sir Richard McBride?
2. Had the Government a supply of torpedoes at Esquimalt, suitable for use by submarines, in August, 1914?
3. If so, were they of a size and make that they could be used by the submarines purchased in August by the Government?

Hon. Mr. LOUGHEED—The answers furnished by the Government are as follows:

1. The Government does not consider it advisable at the present time to publish information concerning the armament of the submarines on the Pacific coast of Canada.

2 and 3. Answered by No. 1.

The hon. gentleman will appreciate the situation.

Hon. Mr. McSWEENEY—Certainly.

CIVIL SERVICE AND THE BILINGUAL SCHOOL QUESTION.

QUESTION OF PRIVILEGE.

Hon. Mr. CHOQUETTE—I should like to call the attention of the hon. leader of the House to an article in the Ottawa Morning Citizen headed "Mr. Vincent's Outburst." The Citizen is a good Tory paper, and I should like to know what the leader of the House thinks of it. The article is as follows:

Mr. Vincent's Outburst.

Undoubtedly the most amazing production of its kind yet issued in Ottawa or anywhere in Canada, for that matter, is the effusion intended to make the provincial bilingual dispute a federal affair by a civil servant, Mr. J. U. Vincent, recently appointed Deputy Minister of Inland Revenue as a reward for services to the Tory party in the past. The Citizen has no desire and no need to take part in the controversy regarding bilingualism in this province, but the fact that a paid official may so far violate all the traditions of the civil service and participate in a violent political harangue is too redolent of certain phases of Tammany rule and corrupt politics in the United States to pass unnoticed. It is, we think, an unprecedented occurrence and it is inconceivable that this salaried servant of all the people should presume to actively engage in politics and to assist his own political masters in a violent and objectionable attack on political opponents without being prepared to pay the price of his presumption. The people of Canada, Liberal and Conservative, are not paying Mr. Vincent's salary for his political partisanship, nor are they disposed to permit him to participate in such outbursts as now characterize him without asking that he disassociate himself from the pay-roll of the country.

I should like to know what the Government intend to do with Mr. Vincent, and if they approve of his political pamphlet regarding the bilingual school question in Ontario. Is he to be suspended from the public service, or will the payment of his salary be suspended?

Hon. Mr. LOUGHEED—The Government is not at all aware of what Mr. Vincent is doing, outside of his official duties, and has no opinion whatever on the subject.

Hon. Mr. CHOQUETTE—Would the hon. gentleman be good enough to ask Mr. Vincent's chief, Mr. Blondin, if he approves of this political partisanship of his deputy?

The SPEAKER—Orders of the Day.

THIRD READINGS.

Bill (K), An Act respecting the patent of John Millen and Sons, Limited.—Hon. Mr. Derbyshire.

Bill (44), An Act respecting certain patents of the Lohmann Company.—Hon. Mr. Derbyshire.

Bill (49), An Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. De Veber.

Bill (50), An Act respecting the Canadian Western Railway Company.—Hon. Mr. Watson.

Bill (52), An Act respecting the Mon-

treal, Ottawa and Georgian Bay Canal Company.—Hon. Mr. Casgrain.

Bill (54), An Act respecting the Toronto Terminals Railway Company.—Hon. Mr. Kerr.

Bill (60), An Act to incorporate Entwistle and Alberta Southern Railway Company.—Hon. Mr. Pope.

Bill (61), An Act respecting the Simcoe, Grey and Bruce Railway Company.—Hon. Mr. Taylor.

Bill (65), An Act respecting the Toronto, Hamilton and Buffalo Railway Company.—Hon. Mr. Taylor.

Bill (51), An Act respecting the Kettle Valley Railway Company.—Hon. Mr. Bostock.

Bill (55), An Act to incorporate Fraser Valley Railway Company.—Hon. Mr. Bostock.

CATHOLIC MUTUAL BENEFIT ASSOCIATION BILL.

SECOND READING.

Hon. Mr. McSWEENEY moved the second reading of Bill (Y), An Act respecting the Grand Council of the Catholic Mutual Benefit Association of Canada.

Hon. Mr. CHOQUETTE—This Bill is not printed in either language, and I should like to know why this legislation is sought.

Hon. Mr. McSWEENEY—My object is to move the second reading now; the Bill will be explained at the meeting of the Banking and Commerce Committee.

Hon. Mr. THOMPSON—The Senate should have some explanation of this Bill before allowing it to be read the second time. Incidentally, I understand it is intended to stultify legislation of last session on which a great deal of time and attention was bestowed by the committee. The Senate should know the facts with reference to this sending it to a committee. If I am not wrongly informed an explanation would be in order from some member of the Senate who understands the Bill.

Hon. Mr. McSWEENEY—That information will be furnished by the lawyers who will appear before the committee which will discuss the Bill.

Hon. Mr. POWER—The House is entitled to some explanation at the second reading of the Bill. As I understand the position, this Mutual Benefit Association, like the Foresters and some other fraternal associations, started in with a very low rate of assessment on the members. Now, when a large number of the older members are passing away and their families become entitled to receive the benefits promised in their endowment certificates, it appears that the association would be practically insolvent if it had to meet them in full and an Act was passed last year in order to prevent that very undesirable consummation being reached. Under that Act, the rates were increased. It appears that this Act of last year, while satisfactory to members who are now joining the association, or have joined it recently, is looked upon as embodying a grievance on the part of members who have been paying assessments for many years. It seems that some of the older members are not able to pay the advanced rates, and consequently would lose the money they have paid in assessments, and receive nothing in return. Some of them have been paying for thirty years, and are in danger of losing everything they have contributed to the association. As I understand, the object of this Bill is to provide for a re-consideration of that feature of the scheme. The matter is to be reconsidered at a general meeting of the association. As to the merits of the thing I do not know anything.

Hon. Mr. McSWEENEY—I saw Mr. Hackett, who is a leading member—I think president—of the Catholic Mutual Benefit Association, and he is quite willing to have this Bill referred to the committee and discussed. I thought if he was satisfied the House should be satisfied.

Hon. Mr. CHOQUETTE—If the hon. gentlemen will read the petition they will find that the Bill asks just what has been said by the hon. gentleman from Halifax. If the Bill is to be explained before the Banking and Commerce Committee, we ought to be satisfied to let it be read the second time now, and referred to that committee, where it can be properly dealt with. I may say I am a member of that association, and I think the assessment is more than double what it should be.

Hon. Mr. MURPHY—I agree with the hon. gentleman from Halifax as far as he goes. This Bill embodies a wrong principle. Last year a Bill was passed by the Banking and Commerce Committee, reported to the House and subsequently passed. The Act of last year was the result of a convention held nearly three years ago when the grand trustees of the order were authorized to get legislation enabling them to put the society in a position of solvency, and rescue them from the position in which the society had

been placed by the action of the members who are now scrambling for redress. The society allowed matters to go along, convention after convention, until the Insurance Department took a hand and told the trustees that they must do something to make their rates adequate and provide against insolvency. As a result, the trustees of the society employed an actuary of their own, and he, in conjunction with the Government actuary of insurance, made out the schedule of rates that was to be put into force, as a result of the measure we passed last year giving them this power. Last year the question was fully discussed and representations were made by the same people who are now clamouring for this measure. An attempt was made to incorporate an amendment in the legislation of last year to accomplish what this Bill is designed to do. I was present at the meeting of the committee, and therefore know all the circumstances, as do some of the other gentlemen who have just spoken. It was made clear by the representative of the trustees, and also of the insurance inspector of Canada, that such an amendment would be doing injustice to the men who are now paying adequate rates. If the condition of insolvency had been allowed to continue any longer, not only would every member have suffered, but the order would have been unable to perpetuate itself. Every year put them more in the hole. That is the reason why the Bill of last year was reported without that amendment and passed by the House. Now the old members come and ask us to accept the amendment which was rejected last year. I do not think there is any necessity for this Bill. It would only have the effect of making their position worse from month to month, and rendering it increasingly difficult to put them on a solvent basis, where they should have been put fifteen years ago. I pointed out to three conventions of the Catholic Mutual Benefit Association what would be the result of continuing inadequate rates, I pointed out that they must inevitably become defaulters. But the parties who are behind this measure stood up in the conventions and talked to the members against a reasonable increase, and hon. gentlemen know how much can be done by persuasive speakers when they are talking to 400 or 500 men who know nothing about the merits of the question. I feel like moving the six months' hoist, but perhaps it would be as well to let it go to the Banking and Commerce Committee, and hear both sides.

Hon. Mr. CHOQUETTE—What my hon. friend said is about correct, except on one point, and it is this: when the trustees were empowered to raise the assessments, the rate of assessment had not been decided; it was left to themselves. When they obtained permission to come before the House last year, with the consent of the last convention, the members were told that they would not ask for so much as they are demanding now. The amendment they are asking now is more than is necessary. I am not inclined to favour the Bill at first sight, but I should like to hear the matter debated before the Banking and Commerce Committee, and if those who say the assessments are too high can prove it, I shall vote for them. But in order to satisfy these people, members of my court, for instance, are assessed more than double the rate they should pay, and they are dropping out, because they cannot pay the assessment, and we are defrauded by the action of the court. We were told that the increase of rates would be about 25 per cent, and now it is more than 60 per cent additional. If it is proven before the committee that the assessment is necessary to keep the order in good standing, I shall favour it; but if it should be proven that the trustees have more than doubled the necessary assessments, the committee should protect the rights of the old members.

Hon. Mr. MURPHY—This matter has been fully considered by capable actuaries of the highest standing in Canada and the United States, and also actuaries in behalf of the Insurance Department, and all these actuaries are in complete agreement. Laymen, therefore, are not in a position to say whether the increased rates are right or not.

Hon. Mr. DONNELLY—Not being a member of the order, I am not as familiar with the details as the hon. gentleman who has just spoken, but I have received correspondence from members of the order in whose judgment I place very great confidence, asking me to support the Bill. I fully agree with the hon. gentleman from Halifax that the original assessment was not high enough. It was necessary that it be increased. That was admitted by all members of the order, but the ground taken by those who seek this amendment is that they have not been properly equalized in the increase. A new set of assessments was levied, and the members were notified that they would take effect in December last, but so strong was the feeling against

the new set of assessments, that the Grand Council decided not to put them into effect until June. The members who are promoting the Bill desire that they shall not go into effect until there has been a general meeting of the society, in order that the matter may be thoroughly discussed. I am not prepared to discuss the matter fully at the present, but I should like to have it go before the committee, so that the prompters of the measure will have an opportunity to place the matter before the committee.

Hon. Mr. DERBYSHIRE—I have a letter from the secretary of this society in our town, and he asked me not to let this legislation go through until the annual convention, when this matter can be brought up and discussed fully, and at another session a proper Bill can be brought in to meet the views of all.

Hon. Mr. POWER—It would be pretty hard to draw a Bill of that kind.

Hon. Mr. CLORAN—This matter of mutual association is a deep and grave one. It is deep because so many of these societies are designed to bring in members of the community, especially working people, and therefore these matters should be carefully considered. The object of these societies is one that commends itself to all families, but especially to widows and orphans. It appeals to the human sentiments. If these associations were conducted in the interest of the children and wives of their members, they would be mutual benefit organizations. Some men are led into them because of the protection they promise for the widow and the orphans. In my young days I was a very strong advocate of those mutual benefit societies, on the ground that the benefits accrued to the orphan and the widow, and not to the officers in charge of such institutions. What has been the result of my experience and of my observation in regard to these societies? That a large amount of money contributed by the poor working man and the clerk for the protection of the orphans and the widow, did not go to them, but went largely to the officers of the institution. I was an observer and a payer at the same time, and I found that the money contributed by the members of any of these organizations went largely to officeholders, to cover the cost of conventions, and to useless expenses. The result is, and the result has been, that special assessments had to be collected and exacted from members to meet these extra expenditures for professional purposes. The result was after being a member of these associations for years, such as the Independent Order of Foresters and Catholic Mutual Benefit Association and other orders, that I dropped out, and I think I acted wisely. It cost me several thousand dollars to belong to them for several years.

Hon. Mr. TESSIER—Did the hon. gentleman lose the money?

Hon. Mr. CLORAN—I took chances, but they had a hundred chances against mine.

Hon. Mr. CHOQUETTE—The hon. member is not dead yet.

Hon. Mr. CLORAN—Not dead yet.

Hon. Mr. TESSIER—Was the money lost?

Hon. Mr. CLORAN—The money is all gone. In dealing with this question we must be very careful in acceding to the demands of the officers of the association, which are principally directed for their own self-interest and self-aggrandizement, and not for the interests of the members and the orphans and widows. That has been my experience, and I am one of the people who held to these mutual benefit societies, until I found out what they amounted to. Take the Independent Order of Foresters of which I was a member; when I found that the officers, the secretary, the treasurer, the president and other officials were paid salaries of four, five, eight or ten thousand a year, I came to the conclusion that there was no good purpose served by keeping up my assessments—that it was simply providing funds that I had supposed were intended for the protection of widows and orphans, to pay big salaries to the officials of the order.

Hon. Mr. CHOQUETTE—I do not think it is fair, in discussing a measure of this kind, for my hon. friend to abuse the Catholic Mutual Benefit Association or the Independent Order of Foresters, and I appeal to his spirit of justice not to speak harshly without proof. It is not correct either.

Hon. Mr. CLORAN—I fully appreciate the objection made by the hon. senator, I am making no attack, I am simply making observations which have cost me money, and which have cost other people money. All these associations are spending money on themselves and their conventions and other inutilities, instead of spending it on the widows and orphans for whose protec-

tion the funds are collected. That is a direct charge.

Hon. Mr. CHOQUETTE—That is not correct.

Hon. Mr. CLORAN—That is one of the reasons why I left the organization. I am entitled to my opinion and my opinion is based on money.

Hon. Mr. McSWEENEY—And on facts.

Hon. Mr. CLORAN—The point is that these organizations—

The SPEAKER—What is the motion before the Chair?

Hon. Mr. CLORAN—I want to know from the Speaker what is before the Chair.

Hon. Mr. McSWEENEY—It is to suspend certain rules.

The SPEAKER—Does the hon. gentleman make the motion to have the Bill read a second time?

Hon. Mr. McSWEENEY—Yes.

Hon. Mr. CLORAN—Then supposing I do not want it read now, would I be in order?

The SPEAKER—Yes.

Hon. Mr. CLORAN—Before the Bill goes to committee, I want to place before the House my observations as to how these mutual benefit societies conduct their affairs. First they induced me, as a young man of 22 or 25, to go into the organization. I had to pay ten or twelve dollars a year on a benefit certificate of one thousand dollars. I am in the association for five years. The first thing I know, instead of paying ten or twelve dollars a year on a thousand of insurance, some convention increases the rate to fifteen dollars a year. Then I pay my fifteen dollars. Three or four years afterwards the expenses of the organization have so increased that I have to pay twenty dollars on a thousand. At the end of another five years the expenses of the association are so increased that I have to pay twenty-five dollars a year instead of ten dollars. I was inveigled into the association on the ground that all I would have to pay would be ten dollars a year on a thousand of insurance. That is a fraud on the public and should not be tolerated. These facts should be laid before the Banking and Commerce Committee.

The motion was agreed to, and the Bill was read the second time.

CANADA GRAIN ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (S), An Act to amend the Canada Grain Act.

(In the Committee.)

On clause 1:

1. Section 27 of the Canada Grain Act, chapter 27 of the statutes of 1912, is amended by adding thereto the following subsection:

"2. Such certificate shall be in all cases, prima facie evidence of the facts therein contained."

Hon. Mr. BOSTOCK—Can the hon. leader of the Government tell us what the arrangement is at the present time? As I understand this clause, it is that the certificate will now be accepted as evidence without any proof.

Hon. Mr. LOUGHEED—As prima facie evidence. Section 27 makes provision for issuance of this certificate. There is no provision in the law whereby the certificate should be accepted as prima facie evidence of its contents. It is, therefore, desirable to declare that it should have the effect of being prima facie evidence of what is contained therein. Of course, the onus can be shifted by the other side in impeaching the same.

The clause was adopted.

On clause 2:

2. Subsection 4 of section 126 of the said Act, as enacted by section 9 of chapter 21 of the statutes of 1913, is repealed and the following is substituted therefor:

"4. No grain shall leave a terminal elevator without being officially weighed, and the official certificate of weight shall be conclusive evidence of the weight of such grain."

Hon. Mr. LOUGHEED—This amendment is self-explanatory, and I think my hon. friend will observe that it is very desirable that such grain, before leaving the elevator, should be officially weighed, and having been officially weighed and the necessary documents issued, the logical conclusion should be that the contents of that certificate should be conclusive evidence as to the weight.

Hon. Mr. WATSON—Does this apply to all terminal elevators, or simply to the Government terminal elevators?

Hon. Mr. LOUGHEED—All terminal elevators.

Hon. Mr. WATSON—Government and all?

Hon. Mr. LOUGHEED—Yes; the section we amend reads as follows:

No grain shall leave a terminal elevator without being officially weighed.

Now we repeal that and go further, and require the grain to be weighed, and then we provide that the official certificate of weight should be conclusive evidence of the weight of such grain, so as to dispense with the necessity of calling those who weighed the grain to give parole evidence as to weight. Once they have issued the certificate, of course the logical conclusion is that it would be conclusive evidence of that weight.

Hon. Mr. WATSON—Hon. gentlemen will remember that during the passing of this Grain Act, and in recent years in Canada, there has been a great deal of complaint about the weighing of grain and the shortages at this end of the lake passage. Will this certificate be conclusive evidence? Will a vessel owner taking a load of grain from the elevator be able to prove that he took on so much grain, and can he be compelled to deliver that amount?

Hon. Mr. LOUGHEED—Yes, it should be conclusive evidence once the grain is weighed out at the terminal elevator and the certificate issued; that is conclusive evidence of the weight of the grain.

Hon. Mr. WATSON—It seems to me there should be some facilities for the shipper to test the weight of the grain.

Hon. Mr. LOUGHEED—The opportunity is given them to check the weight of the grain at the time it is weighed.

The clause was adopted.

Hon. Mr. DANIEL, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

GOLD AND SILVER MARKING ACT, 1913, AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (W), An Act to amend the Gold and Silver Marking Act, 1913.

(In the Committee.)

On Clause 1—Offences made punishable on summary conviction and minimum penalties added.

Hon. Mr. WATSON.

Hon. Mr. LOUGHEED—The first amendment proposes to make provision whereby violators of the Act should be liable to summary conviction instead of indictment. This makes the procedure more simple, and enables prosecutions to be made before a magistrate, when a minimum fine of $25 is to be imposed. Heretofore the minimum fine was at the discretion of the court.

Hon. Mr. BOSTOCK—There is no other alteration to section 13?

Hon. Mr. LOUGHEED—Of course none outside the Bill. We repeal the former section 13, also 14 and 15, and the explanations I have made apply likewise to section 14. Section 15 of the Act at present requires that:

Every article in which conviction under the Act is had shall be broken or defaced.

The proposed amendments require that the metal should revert to the Crown. I think this information will cover those three sections.

Hon. Mr. THOMPSON—This is very drastic legislation, although the changes evidently are made so as to more readily reach offenders and not leave to the court discretion as to the nature of the fine. I do not know whether the term "dealer" would refer to every little country store that sells small articles of jewellery, and that a man would be fined $25, though not knowingly or willingly committing an infraction of the Act. Perhaps there is another definition of "dealer."

Hon. Mr. LOUGHEED—My hon. friend's definition of dealer is substantially correct, but he will appreciate the fact that if we did not include the retail merchant—and including the retail merchant it is impossible to establish the extent of business he may do—it would be impossible to enforce the Act. A dealer is defined by the Act as follows:

Dealer means any person who is a manufacturer of or a seller of or a dealer in, whether by wholesale or retail, any article to which this Act applies, and whether such person is an individual person or a corporate or unincorporated body of persons, or a director, manager, officer or agent of any such body.

Hon. Mr. THOMPSON—Would not the hon. gentleman regard this as specially drastic legislation? I cannot conceive that it is of so great importance to bring up an individual who buys jewellery, say an Ingersoll watch or some of those plated goods,

and pronounce him guilty of something because the article did not have such a mark as this Bill requires, and subject him to a fine of $25.

Hon. Mr. LOUGHEED—If my hon. friend will look at the Bill and take into consideration the principles we have already incorporated into the law he will scarcely make that objection.

Hon. Mr. THOMPSON—My point is that I do not think we should make it easier to commit a person for an offence of which he is not knowingly guilty. Under this clause, the magistrate, whether he approves or not, must impose a fine of $25, and there does not seem to be quite the latitude that a magistrate should have in dealing with an offender who does not mean to do anything wrong. The Bill makes it possible for persons who may be interested in manufacturing jewellery and desirous of protecting their interest, to fine anybody who might innocently, and without knowing all the conditions of this Act violate the law, for the magistrate cannot exercise his own judgment as to whether the man knowingly or innocently infringed the provisions of the Act. I think that is a very drastic provision.

Hon. Mr. BELCOURT—Has my hon. friend some statement as to why this amendment is made so shortly after the Act was passed? I remember that this Act was very lengthily discussed in 1913. Perhaps there is some reason that has demonstrated why there should be an amendment. Formerly a discretion was given to the court to impose a penalty of $1; now the minimum is $25. It seems to me that this House is entitled to some information why we are called upon to amend an important Act of this sort, so recently passed.

Hon. Mr. LOUGHEED—I might say, in reply to my hon. friend, that fixing a minimum penalty has the advantage of leading to some uniformity in the enforcement of the Act. A discretion that may be exercised by a magistrate in imposing fines may run the whole gamut of penalty as to the amount of the fine.

Hon. Mr. CLORAN—And less.

Hon. Mr. LOUGHEED—It depends now entirely, I suppose, on whether the magistrate is sympathetic or not what the fine should be. Is it not more desirable, particularly as we are making provision that the cases should be tried in a summary way rather than by indictment, and thus importing into the proceedings a magistrate instead of a higher judicial functionary—that we should lay down certain lines of penalty along which we should act? The only reason I can give for the fixing of a minimum fine is that we are placing the enforcement of the Act now in the hands of magistrates instead of in the hands of judges. I think hon. gentlemen will recognize that it is desirable for these proceedings to be disposed of as summarily as possible, and that all the costs incident to the trial of a case like this by a higher judicial functionary should not be continued. That is the only reason I can give.

Hon. Mr. THOMPSON—There ought to be a real distinction between men who might intentionally infringe the Act in respect to the marking of jewellery or anything of that kind, and men who innocently do so; and the court should be left to decide that, from the evidence produced. This is a very drastic Act touching many points on the marking of jewellery that men in the country districts handling jewellery would naturally know nothing about.

Hon. Mr. LOUGHEED—Does not my hon. friend think that the magistrate in that case would dismiss the case?

Hon. Mr. THOMPSON—I do not think he could dismiss it, for if the accused infringed the Act in any respect the magistrate must fine him $25; there is no excuse for it. I presume this Act was passed for the purpose of preventing frauds.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. THOMPSON—It is all right to prevent frauds on those who deal in those things, but I quite appreciate that where jewellery is sold all over this country in the jewellery stores, large or small, a man might infringe the Act unintentionally or unconsciously, and yet if he was found by a manufacturing jeweller with some little piece of jewellery in his case that was not marked according to the Act, he could bring him before the magistrate of that district and have him fined $25. I think that is drastic.

Hon. Mr. CLORAN: I do not think it is drastic enough. This point of legislating to give understrappers a right to do things which the manufacturer has not the right to do cannot be accepted by any judicial body. The law is that certain goods should

not be manufactured or sold; the goods manufactured pass from one hand to the other and get down to the pedlar, whom I hold to be just as liable under the law as the manufacturer himself. He is not supposed to know, we are told. I say he is supposed to know, and the law should recognize no distinction between the manufacturer of adulterated goods and the seller thereof. It is up to him to know what the law is just as well as the manufacturer. I have no sympathy with that kind of people. My experience in regard to the execution of laws in this direction leads me to believe that the more discretion you give to the courts the less exacting is the administration of justice. I have held in this House time and time again that our laws ought to be so clear and distinct that the judges on the bench would have no discretion or power to interpret them, but simply to administer them. It is a false principle of justice to leave one judge free to interpret the law in one way and another judge to interpret it in another way. The laws ought to be made so clear and distinct as to leave no room for different interpretations. The power and the right of imposing a fine might be left by Parliament to a judge, as in such case as this one the fine would be one of $25 but the judge would have discretion to impose $5, $10, $15 or $25; but such discretion should not apply to the interpretation of the law. I have known very important cases affecting the revenues of the entire province in which judges declared that they were sorry to have to interpret the law, they would rather have had a clear law made by the legislature. Judges are very often in difficulty to interpret the law, and our duty as legislators is to see that we make the laws perfectly clear as to their meaning. I know it will take years to do that, because all our Parliaments, Federal and otherwise, have passed laws grammatically unfit and unsound, and then leave them to the courts to interpret in various ways. I think the Government is right in the present instance in providing that the fine should be definite and that the culprit under the law should be dealt with without distinction as to whether he be a manufacturer, a go-between or a seller.

The clause was adopted.

On clause 16:

2. Section 16 of the said Act is amended by adding thereto the following subsection:

"2. Such officer may seize any article to which this Act applies and which is marked otherwise than in accordance with the provisions of this Act, or of the regulations made thereunder, and may retain the same until the prosecution for the offence committed in respect of such article has been finally decided by the courts. After a conviction has been obtained and the prosecution finally decided, the article shall be broken or defaced and the metal thereof forfeited to the Crown, as provided in section 15 of this Act."

Hon. Mr. BOSTOCK: This seems to be quite a new section and we would like to know the reason why it is enacted.

Hon. Mr. LOUGHEED: The amendments to section 16 will enable the inspector to seize articles which he is led to believe are in contravention of the Act and hold the same until the case is disposed of by the courts. Heretofore the inspector could only inspect articles on the owner's premises and would have to buy the article in order to obtain a conviction. In some cases where proceedings have been taken, when the inspector returned to the establishment for the purpose of securing again the evidence which led him to institute the proceedings, he found a disappearance thereof; so this proposes that the officers at the time may seize the article in question. It is then in the possession of the Crown for the purpose of establishing the prosecution.

Hon. Mr. POWER: I suppose the proceeds of the sale of these articles by the Government will help to reduce the deficit.

Hon. Mr. LOUGHEED: Oh yes, and the public debt, I should say.

Hon. Mr. BELCOURT: Does my hon. friend understand that there is an appeal from a conviction under this Act?

Hon. Mr. LOUGHEED: The Criminal Court makes provision for an appeal from all convictions.

The clause was adopted.

Hon. Mr. McSWEENEY, from the committee, reported the Bill without amendment.

The Bill was then read the third time, and passed.

YUKON PLACER MINING ACT AMENDMENT BILL.

THIRD READING.

The House resumed in Committee of the Whole consideration of Bill No. 67, An Act to amend the Yukon Placer Mining Act.

(In the Committee.)

Hon. Mr. LOUGHEED—My hon. friend from Ottawa (Hon. Mr. Belcourt) pointed out yesterday that the words "continues in active service" might lead to a difficulty with regard to a soldier who had been wounded and had thus secured his discharge during the continuance of the war. I have prepared an amendment to make the clause read as follows:

Every person enlisted or accepted for active service, whether with the British or Allied forces in the defences of the Empire during the present war, or

(a) is on such active service, or

(b) having been in such service has, by reason of any wound, illness or disability incurred therein, been invalided or discharged, otherwise than by sentence of court marshal,

(c) in either case is the holder of mining rights acquired under the provisions of this Act.

I move the adoption of this amendment.

The motion was agreed to.

Hon. Mr. Baird, from the committee, reported the Bill with an amendment, which was concurred in.

The Bill was then read the third time, and passed.

BANK ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill No. 78, An Act to amend the Bank Act.

(In the Committee.)

On clause 11:

11. The bank shall have the right, through its servants or agents, in case of default in payment of the money lent or in case of neglect to care for and harvest the crop, or in case of any attempt to dispose of the crop without the consent of the bank, or in case of the seizure of the crop under process of law, to enter upon the land upon which the crop is grown, to take possession of, care for and harvest the crop and thresh the grain therefrom.

Hon. Mr. WATSON—Would that power be granted to an agent of the bank outside of the regular legal officers of the province?

Hon. Mr. LOUGHEED—Oh yes, it would be through its servants or agents.

Hon. Mr. BELCOURT—That is, to somebody appointed for the purpose by the bank.

Hon. Mr. LOUGHEED—Yes, servants or agents of the bank. The probabilities are they would make use of the provincial officers—that is the sheriff or his bailiff—in so doing. For that purpose they are the servants or agents of the bank.

Hon. Mr. WATSON—I think it would be necessary, because there might be a conflict between the bank and a court official who might have a lien on a growing crop for grain advanced by some other party outside of the bank.

Hon. Mr. THOMPSON—The bank requires the first lien.

Hon. Mr. LOUGHEED—The law provides for the settlement of such conflicts.

Hon. Mr. BELCOURT—It would be similar to the case of a landlord who issues a distress warrant for rent; the case would be analogous.

Hon. Mr. WATSON—Supposing an individual advances grain, and the bank also advances grain to a farmer, has the bank any preference? In Manitoba I have a right to take a chattel mortgage on a growing crop for seed supplied. Supposing I and the bank separately furnish seed grain to the farmer, who has the prior right on that crop?

Hon. Mr. BELCOURT—The courts will settle that.

Hon. Mr. CLORAN—You leave it to a judge who in one place will decide a certain thing, and in another place he will decide the other way. Either the bank or the individual has the prior right.

Hon. Mr. LOUGHEED—That is what the courts are for.

Hon. Mr. CLORAN—The point is well taken. Shall the individual who has advanced money on a grain crop, or has advanced the seed, have a lesser right than the bank? The hon. gentleman from Ottawa says, "leave it to the court." Now we are not here to make laws for the benefit of lawyers. We should make it clear and distinct that the bank should have the prior right, or that the individual should have an equal right. Let us make that declaration. The hon. gentleman says let the court decide it. What does that mean? Litigation and the employment of lawyers. I am a lawyer myself, but I am opposed on proper grounds to that kind of construction or making laws in this country. I say make a straight case. Tell us the bank has a prior claim, when it advances money on a crop prior to that of an individual. For God's sake give up that kind of legislation.

Hon. Mr. POWER—This is a matter of such consequence that it should not be passed over without serious consideration. We have laws in all the provinces with respect to the registration of encumbrances. The object of these laws is to prevent people being taken by surprise. It is to prevent creditors being defrauded by secret bills of sale. In every province there is legislation of that kind. Here, I understand, the bank is not called upon to register its encumbrances, and the objection I have to the clause under consideration is that the bank is allowed to hold an encumbrance on the property, and there is no notice given to the public, or to any person who might afterwards advance money. There is no reason why the banks should not be subject to the provisions of the law with respect to secret bills of sale as well as individuals, and the least the Government might do is to consider this matter before we read the Bill the third time. It is a very important matter, and a departure from the uniform practice of the provinces.

Hon. Mr. LOUGHEED—My hon. friend is in error in his statement as to these provisions being repugnant in any way to the law as it is on the statute book. I have no recollection of my hon. friend, when we were considering the Bank Act, raising this point. This principle runs all through the Bank Act. The banks are not called upon to register their security receipts, their hypothecation receipts, as against the properties upon which they hold security, and why, I ask, in this particular case, should a different principle be adopted, and one repugnant to the fundamental principle of the Bank Act so far as advancing money on goods is concerned.

Hon. Mr. POWER—I think the fundamental principle is wrong.

Hon. Mr. DAVIS—This is a new departure on the part of the bank launching out this way.

Hon. Mr. LOUGHEED—No.

Hon. Mr. DAVIS—There are certain classses of business they are allowed to do, and certain classes they are not allowed to do. I think my hon. friend to my right is correct, that they should register their liens, and that they should not be put in a better position than any one else. Why should a bank be given a privilege which no other business man in the country enjoys?

Hon. Mr. GORDON—The argument advanced by the hon. gentleman who has just spoken leads us to the conclusion that the farmers are not to be trusted as much as the ordinary business man.

Hon. Mr. POWER—Oh no.

Hon. Mr. CLORAN—No, that the banks are not to be trusted.

Hon. Mr. GORDON—There is not any business to-day where banks advance money in which the banks have not a lien. It is a secret lien if you wish to call it so.

Hon. Mr. POWER—I think the hon. gentleman is wrong.

Hon. Mr. DAVIS—What kind of liens do the banks at the present time receive under the present legislation and on what class of property? This is a different proposition from the ordinary note you might hypothecate. This is practically taking a chattel mortgage.

Hon. Mr. GORDON—The banks in doing business with millers, lumbermen and men who have goods in storehouses or warehouses, invariably take security such as will be called for by this measure, nothing more and nothing less, and if you wish to enforce a registered lien against a farmer, then you are making out that the farmer is not to be trusted.

Hon. Mr. CLORAN—Oh rats!

Hon. Mr. GORDON—This advance is for the purpose of giving the farmer a chance to buy seed grain. Every person will know of that, and it should be the business of hon. gentlemen who try to inform people who, I think, will not know of such legislation. You will find they all know. That being the case, I do not see where any injustice arises either to the farmer or the merchant who may be dealing with him. I think this legislation is right and proper, and more in the interest of the farmer than in the interest of the bank.

Hon. Mr. WATSON—I am not objecting to the legislation; I am approving of it. It is a move in the right direction, but I want to have the matter made clear if I can. I am not a lawyer; I am simply a layman, but I have had a little to do with furnishing seed grain in Manitoba, and the person who furnishes seed grain in Manitoba has the first lien on a growing crop, ahead of executions and everything else. He can take the wheat in payment. The statute provides that a man can take a chattel mortgage on a growing crop. A few years

ago the Manitoba Government passed legislation preventing any person taking a lien or mortgage on a growing crop. That was done for the reason that the implement machine men very often would have a lien on a growing crop, probably two or three years before it is grown. The other creditors simply have to stand back before that claim is satisfied. The Legislature passed an Act preventing a chattel mortgage being given on a growing crop except for one purpose, namely seed grain, and this takes the same place. What I want to try and find out if I can is who will have the prior right if two people furnish seed grain to the one farmer? You are saying by Dominion legislation that the banks have the prior right. There is no registration required. I do not say that we should require any registration. There is no registration necessary in the case of the individual who furnishes seed grain. The man who furnishes the grain draws his agreement, has it in his pocket and collects when the grain is grown. If there is a private individual and a bank both advancing grain to the farmer, who will have the right to profit under this legislation, the individual or the bank, both having a lien for the same purpose?

Hon. Mr. LOUGHEED—The individual could not have a lien for the same grain, because the seed grain upon which the bank makes an advance is a specific article used on a particular piece of land, which would be described in the security certificate for the seed. Now, if the farmer should sow this particular land with seed grain upon which both parties have advanced money, that would produce a conflict, perhaps, which no statute could well provide against.

Hon. Mr. WATSON—That is the case I am speaking of.

Hon. Mr. LOUGHEED—It is almost an impossible condition; that is, if a bank advances money on seed grain, it will know where the seed grain is sown and will know the particular crop which it represents, and which will be described in the security furnished, and if another individual advances seed grain to that same man it is to be presumed it will not be mixed with the seed grain or the crop belonging to the bank. Furthermore, let us assume that confusion arises; then the courts are there for the purpose of adjusting a dispute of that kind. We cannot possibly sit down and legislate that two individuals or corporations will not produce a condition of confusion which will eventually lead to litigation.

Hon. Mr. WATSON—Give the lawyers the first chance.

Hon. Mr. BELCOURT—the same question might arise between two banks. They might both have warehouse receipts covering the same crop, and it would be for the courts to decide. It seems to me these are questions which must be left to the court.

Hon. Mr. DAVIS—My hon. friend from Portage la Prairie cites the law in Manitoba. We do not know that the law in Saskatchewan and Alberta are the same. Supposing a farmer comes to John Brown, a business man, and says "I want to borrow from you so much money for the purpose of buying seed grain, and he gets it, and another man, John Jones, goes to the bank and borrows the money. Is it not a fact that when a man borrows from the bank the bank will not be compelled to register the lien at all, while the business man who has lent to the farmer will be compelled to register his lien? Why should that be the case? Why should a bank be placed in any different position than an individual?

Hon. Mr. LOUGHEED—That is one of the principles of the Bank Act.

Hon. Mr. CLORAN—I see the hon. leader of the Government, a bright, intelligent lawyer, wants to keep the business in legal hands. He just now made the statement, "Leave it to the courts to adjust."

Hon. Mr. WATSON—Is the hon. gentleman not a lawyer?

Hon. Mr. CLORAN—Yes, but I am dead against courts adjusting things of this kind, and when we can, by simple declaration, put it in such a state as to make it clear that the courts will have no adjustment to make, but simply apply the law, we should do so. The vast majority of the people of the country are getting on to it. But lawyers want the courts open so as to adjust cases. I say the law should be made so clear and distinct that there should be no dispute at all. It will put the lawyers out of business. Now there is a principle of business underlying this. As the senator from Manitoba said, supposing John Brown advances $500 for grain purposes, and that is all he is able to advance; the farmer wants another $500, and the only source he can get it from is the bank, and he goes there and obtains it. Who is going to have the prior claim on that crop—Mr. Brown or the bank? Under this law the bank will have the prior claim. Suppose the crop

was a failure and there was not sufficient output of that crop to pay the two, whose claim would be recognized first? I say there should be no favour shown to one or the other. The law should be made clear and distinct, that the man who advances the money should have the first claim.

The clause was adopted.

On clause 12.

12. Money lent under subsection 8 of this section to be entitled to the security therein referred to must be lent not later than the first day of August, 1915.

Hon. Mr. DAVIS—What is the object of this, if it is only to apply to seed grain?

Hon. Mr. CLORAN—Your laws are very bright.

Hon. Mr. BELCOURT—It might be seed grain for the following year.

Hon. Mr. LOUGHEED—It is only to be in operation for the present year. If it works satisfactorily it will be continued.

Hon. Mr. BELCOURT—There would be nothing in the Act to prevent security being given under this section for seed grain for the following year.

Hon. Mr. DAVIS—Supposing a bank should take a mortgage on a man's farm would they be compelled to register it or would they not?

Hon. Mr. LOUGHEED—This does not deal with that subject.

Hon. Mr. DAVIS—The hon. gentleman behind me said they were not compelled to register any security. They have to register a mortgage.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—Why should they not register this lien? I think this objectionable legislation.

Hon. Mr. POWER—The new clause 12 really takes the sting out of the thing, because it shows this is a war measure and is going out of operation soon.

Hon. Mr. WATSON—The hon. gentleman says it might be purchasing grain for 1916. Is that the intention? I should not think so. I should like to see the limit taken out altogether.

Hon. Mr. BELCOURT—I take it that under this clause, if it goes without any amendment, there is nothing to prevent a bank taking security for seed grain for one, two, three, four or five years, provided security is taken before the 1st August, 1915.

Hon. Mr. LOUGHEED—It must be for that particular year.

Hon. Mr. BELCOURT—It does not say so.

Hon. Mr. POWER—The clause says, "Money lent under subsection 8 of this section to be entitled to the security must be lent not later than the first day of August, 1915," so that it could not very well apply to what was coming after.

The clause was adopted.

Hon. Mr. MURPHY, from the committee, reported the Bill without amendment.

The Senate adjourned until 11 a.m., Monday.

THE SENATE.

Monday, March 29, 1915.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and routine proceedings.

ROADS IN REVELSTOKE PARK.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. What is the total length of the road being built in the Revelstoke Park in the Railway Belt of British Columbia?
2. How many miles were completed in the year 1914?
3. Who was the foreman on the work?
4. By whom was he appointed?
5. What was the total number of men employed in connection with this work, giving the number for each month separately?
6. What was the rate of wages per day paid to the foreman and each man respectively, and the total for each month?
7. What was the cost of the supplies and the materials used during the year 1914?

Hon. Mr. LOUGHEED—The answers are:

1. Ten miles.

2. There were two and one-half miles of road completed and one and one-half miles partly completed in 1914.

3. Work was done under the supervision of general foreman W. Fleming.

4. Appointed by P.C. Barnard-Hervey, Chief Superintendent of Dominion Parks, Edmonton, Alta.

5. Average number of men employed, July, 66; August, 87; September, 20.

6. Rate of wages: Foreman, $4.50 per day; time-keeper, $80 per month; cooks, $3 per day; axemen, $3.50 per day; rockmen, $3.50 per day; labourers, $3 per day; blacksmith, $4 per day; sub-foreman, $4 per

day; engineers, $4.50 per day. Total wages for July, $4,433.60; August, $6,664.76; September, $315.08. Total, $11,413.44.

7. Cost of supplies and material. $3,671.51

Returned to stores.. .. .. .. 2,335.10

Material consumed on job.. $1,336.41

THIRD READINGS.

Bill No. 71, An Act respecting the Sterling Life Assurance Company of Canada.—Hon. Mr. Edwards.

Bill No. 78, An Act to amend the Bank Act.—Hon. Mr. Lougheed.

CUSTOMS TARIFF ACT (1907) AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 75, An Act to amend the Customs Tariff, 1907.

He said: This is what might be termed a war measure. It has been introduced with a view of enlarging the revenue on account of the increased expenditure to which the country is subjected owing to the war in which Canada is involved. It proposes increasing the general tariff by 7½ per cent, likewise the intermediate tariff. It will increase the British preference by 5 per cent.

Hon. Mr. CLORAN—Increased downwards or upwards?

Hon. Mr. LOUGHEED—There are certain exemptions which will be found under clause 3 of the Bill. If my hon. friends desire, as doubtless they may, when we go into committee on the measure, I shall be glad to answer questions in relation to any of the particular items dealt with in the Bill.

Hon. Mr. POWER—In an important matter of this kind the hon. leader of the Government ought to give us a more serious statement of the reasons which have influenced them in introducing this measure and what the results are likely to be. I noticed the hon gentleman said something about an increase in the British preference. What the hon. gentleman means by that I cannot tell. Take English cloth or woollen goods: At the present time the duty is altogether too high. It is 30 per cent, and now it is proposed to make it five per cent more, and the hon gentleman tells us that that is increasing the British preference. It seems to me it is increasing the preference to the local manufacturer. We ought to have something a little more serious from the hon. leader.

Hon. Mr. BOSTOCK—My hon. friend does not appear to be prepared to give us anything more definite about the matter at the present moment. Perhaps he may see his way to doing it a little later on. This is a very serious matter, and one with regard to which this Chamber has a right to have an explanation from the hon. leader of the Government. We are told that this increase of the duty is occasioned by the expenses caused the country on account of the war, but when we come to examine this question a little we shall see that these expenses have not been caused by the war, that the condition brought about through the management of the affairs of the Dominion has had a good deal more to do with the present condition of the finances of the country than the actual war, conditions from which, to some extent, we are suffering. The hon. gentleman has told us, that the general tariff and the intermediate tariff has been increased by seven and a half per cent, and that the preference on imports from Great Britain has been decreased. The tariff on goods coming from England has been raised by five per cent. At the present time, when we are helping the Empire in the conflict that is being carried on in Europe, that is a very serious matter. I hope we are doing everything we can to help Great Britain to bring the war to a successful issue, but whilst we are going to a considerable expense in sending men to Europe to take their part in the fighting line at the front, on the other hand we say to the people of Great Britain: "We are going to make it more expensive or troublesome for you to ship your goods into Canada." We are receiving large contracts from the Imperial Government to manufacture and supply ammunition, clothing and other necessaries required in the prosecution of the war, yet in spite of the increase this will bring to the trade of the country and the benefit that expenditure will confer on Canada, we turn round and say to the people of Great Britain: "We are going to penalize your goods coming into Canada by an extra five per cent duty, and this not only on goods that are subject to duty at the present time, but also on goods that have been admitted free of duty.

Hon. Mr. WATSON—And we are borrowing money from them.

Hon. Mr. BOSTOCK—The increase is very considerable, and when we take into account the extra expense incurred in shipping the goods across the Atlantic due to

higher freight and insurance rates, and other expenses that necessarily arise from the dislocation of trade caused by the war. I venture to say that this higher duty levied on British goods, coming into this country will very materially affect the trade of Canada with Great Britain. The benefit that we expect to receive from contracts let on this side of the water for supplying the Governments of Europe will be affected, as far as Canada is concerned, by the very fact of the proposed raise of duty. I have not seen any definite figures as to what this amounts to, but some newspapers estimate that up to the present time these contracts amount to something like one hundred million dollars. That increase of trade will add very materially to the prosperity of Canada. It is a business that is brought to Canada as a result of the war which is a benefit to the Dominion. Therefore, owing to our increase of business in that way, we are benefiting to that extent by the war rather than being hurt by it, as my hon. friend leads us to think, when he says that this increase of duty is due to the trouble brought about by the war. I wish to quote a few figures to hon. gentleman at the present time to see if I cannot show that before the war commenced there was a considerable decrease in the revenue and the trade of this country. If we take the imports into Canada between the months of January and August, 1913, and compare them with the imports for the corresponding period of 1914, we find the following:

Imports, January to August, inclusive:	
1913	$304,161,411
1914	222,699,782
Decrease	$ 81,461,629
Duties collected during the same period:	
1913	$65,224,434
1914	46,931,171
Decrease	$18,293,263

or at the rate of $2,285,000 per month, which for the whole year would make $27,420,000.

The total decrease in customs revenue for the calendar year 1914, when compared with the calendar year 1913, is $32 109,927.

On this basis, therefore, it can be argued that the loss due to the war is less than $5,000,000.

It is almost fair to say that if we had the figures to the end of the fiscal year, 31st March, 1913, we would find the decrease in duty up to that time was very little more than this five million dollars. When we come to examine the statement of the Finance Minister, which he made to the House in the second session of 1914, we find that he estimated that by extra duties and by the alterations he made in the tariff, he would raise a revenue of seven million dollars, which, if his estimates had been borne out, would have more than offset the amount of loss caused by the war. We find, however, on examining the speech of the Finance Minister delivered in February of this year, that he estimated his revenue for the whole year at one hundred and thirty million to the end of the fiscal year, exactly the same as his estimate in August last year, when he imposed the new taxes. Therefore the only conclusion we can arrive at is that the increase in the tariff made in August last year did not produce anything like the amount of revenue we were led to expect it would, because his estimate for the revenue for the end of the fiscal year was the same last February as in August. We have an estimate at the present time from the Minister of Finance that the increased duty due to this change in the tariff will give him an extra amount of revenue of twenty-five million dollars. I should like to hear an explanation from the leader of the Government on this question as to whether we may hope that this estimate of twenty-five million increase in the revenue of the country will be borne out this time better than the estimate made in August last year to which I have referred. In connection with this matter I should refer for a few moments to the expense that has gone on in Canada since this Government came into power. The hon. gentleman has said that this increase in duty is required on account of the war, but I think he ought to have shown, in order to establish his case, that the expenditures in other directions had not been increasing out of proportion to the revenue that was required. Comparing the expenditure for 1910-11 with the expenditure for 1913-1914, we find that there has been a great increase in nearly every department of the Civil Service. Hon. gentlemen will probably remember that the Prime Minister of to-day, when he was in Opposition, held up to the country a picture of enormous extravagance and enormous waste, and I think I am right in stating that he said the way the expenditure had been increasing was evidence of graft upon the part of the late Government. If we apply the same statement to the conditions of the present day, therefore, the increase in the expenditure of this Government shows an extravagance and waste and

evidence of graft very much more accentuated than it was in the year 1910-1911.

Hon. Mr. DANIEL—I should like to ask the hon. gentleman if the same state of affairs applies to the Senate as well as to the other ordinary expenditures?

Hon. Sir MACKENZIE BOWELL—He is speaking of the Civil Service.

Hon. Mr. BOSTOCK—I am speaking of the Civil Service, the expenditure that is under the control of the Government.

Hon. Mr. DANIEL—What about the Civil Service in connection with the Senate?

Hon. Mr. BOSTOCK—As I understand it, the Civil Service in connection with the Senate is all voted under a lump sum and is under the control of the Senate itself.

Hon. Mr. DANIEL—That does not answer the question as to whether there has been any increased expenditure here.

Hon. Mr. BOSTOCK—The expenditures were as follows:

	1910-11.	1913-14.
Civil Government	$4,463,094	$ 5,607,794
Administration of Justice	1,292,401	1,399,456
Penitentiaries	527,760	910,413
Police	64,484	119,892
Mounted Police	713,813	963,650
Fisheries	760,734	1,229,519
Mines and Geological Survey	244,274	470,506
Immigration	1,079,129	1,893,297
Indians	1,449,961	2,182,470
Public Works	8,621,431	19,007,512
Customs	2,187,174	3,849,083
Dominion Lands	1,804,250	2,286,480
Post Office	7,954,222	12,822,058
Total	$31,162,727	$52,741,130

That gives the totals for the several items of the service of the country during those two years.

I should like to give a little further explanation of the condition of things. In the administration of justice for those two years there was an increase of $107,055; in the penitentiaries an increase of $382,653. It will appear as if the condition of things in the country was getting much worse when the cost of our penitentiaries increase to that extent in three years. At the same time, the cost of the Dominion Police increased by $55,408, and the cost of the Mounted Police by $249,839. There does not appear to be any reason why those items of the service should have increased to such an extent these last three years. If we go back to the years previous to 1911 we find that there was no such large increase during the corresponding period previous to that; and if the statement of the present Prime Minister is to apply to the late Government, it applies very much more strongly to the present Administration. Then we have in the case of the Customs Department a customs revenue in 1911 amounting to $71,838,088, and in 1914 the customs revenue was $104,691,238. The expenditure for the collection of revenue in 1911 was $2,187,174, and in 1914 it was $3,849,083, showing an increase for the collection of revenue of $1,661,909 in three years. It would be interesting to know what the collection of revenue will be for the ensuing year, when our revenue is falling, as has been stated by the Finance Minister, and will be much less for this next year. Then we come to the question of the expenditure on public works. In the year 1911 there was a deficit, as the following figures show:

Expenditure on collection of revenue:	
Railways and Canals	$11,123,250
Public Works	594,868
Total	$11,718,118
Revenue collected during that time	10,818,834
Showing a difference between revenue collected and expenditure of	$ 899,284
Add to this expenditure on Public Works	8,621,431
And on Railways and Canals	635,018
Making a total of expenditure on Consolidated Fund Account	$10,155,733
If we take the year ending March 31, 1914, we find an expenditure on collection of revenue:	
On Railways and Canals	14,935,138
On Public Works	780,455
Making the total	$15,715,593
The amount of revenue collected during that period was	14,197,052
Showing a difference between revenue collected and expenditure of	$ 1,518,541
The expenditure being less than the revenue by that amount, which was not quite double the difference in 1911.	
Add to this the expenditure on Public Works	19,007,512
Railways and Canals	732,348
Making a total of expenditure on Consolidated Fund Account	$21,258,401

Again we have an enormous increase in the expenditure, and although I would not propose that the public works should be neglected in any way, at the same time the fact that the increase in the collection of revenue has been greater than the increase in the amount of revenue, is a point that I think the Government might very well

look into and see whether they could not effect a decrease in the cost of the service.

Hon. Mr. CLORAN—That is not their business.

Hon. Mr. BOSTOCK—Again, we have in 1910-11 a revenue from Dominion lands of $3,108,735, and an expenditure of $1,804,250; in 1913 the revenue collected was $3,036,030, and the expenditure $3,286,489. In 1910-11 the revenue exceeded the expenditure by $1,304,485; in 1913-14 there was a deficit of $250,450. That is one of the biggest differences in the public accounts at the present time. Then we find at the same time that for the fiscal year ending March 31, 1914, the homestead entries were 31,829; for the calendar year 1914, the homestead entries were 25,623, showing that the homestead entries were falling off, the revenue was diminishing, but the expenditure was increasing, and increasing speedily. The decrease in the homestead entries for the fiscal year ending March 31, 1914, was 1,870, as compared with the fiscal year ending March 31, 1913. Then if we look at the post office collections we find that in the year ending March 31, 1911, the post office collected $9,146,000, spent $7,954,000, showing surplus of $1,192,000; in the year ending March 31, 1914, collected $12,954,000, spent $12,822,000, showing a small surplus of $132,000. This is before the parcel post was started.

It would be interesting to see what has been the result since the starting of the parcel post system. Then, also, in smaller matters the same tendency to increased expenditure appears. We come down to the question of inspection, and we find the following: 1910-11 the cost of inspection of steamboats was $42,818; 1913-14 it had risen to $63,714, an increase of $20,896; but at the same time the fees collected were less. In 1910-11 the cost of inspection of staples was $203,594, in 1913-14 it was $450,737, an increase of $247,143. In 1910-11 cost of inspection of weights, measures and electric light was $180,965; 1913-14 the cost was $258,095, an increase of $77,130.

These few figures that I have given to the House, and which I hope I have not wearied the House by reading, will show to this House the way the present Government have been expending their money, and will give them some idea of why it is necessary on the part of the Government at the present time to propose an increased tariff in the way that the leader of the Government has told us they propose to do under this Bill. The increase in this tariff is going to affect the country in a disadvantageous manner, because where you increase the duty, as has been done at the present time, you necessarily hamper the people and interfere with their production; you make the cost of their supplies much greater, the cost of their implements and anything they have to buy will be greater, and consequently their money will not bring as much as it has in the past, when the duty was lower. The Government have been urging on the farmers, especially, throughout the country from one end to the other, that they should turn all their energies to a greater production for the benefit of the whole Empire; yet they turn around now and tax the people at a greater rate, which will most certainly interfere with and injure their capacity for production. In the West last year we had a very plain instance of the benefit of larger markets to the farmers throughout the Northwest. The United States thought it wise to take the duty off animal products going into the United States, and the people throughout the Northwest very soon found that this gave them a market on the Pacific coast for their live stock, a better market than they had before. The result was that a considerable trade was built up with the cities of the Pacific coast between the farmers in the Northwest and the consumers on that coast; and the farmers were getting a great benefit from the sale of their pigs especially. Then the people who were buying those pigs found that the cost to them, the freight and other charges they had to meet, were very considerable, and that they were being asked to pay too much for the freight and charges connected therewith. They represented the case to the railways and other companies with which they were dealing, but could get no satisfaction, with the result that they said, "We are not forced to buy these pigs throughout the Northwest, and if we cannot get the consideration we think we are entitled to in the matter of transportation, we will discontinue buying pigs through that part of the country." The result was that for nearly two months the market for pigs was very much interfered with, and the consequence was that the farmers through that country found that the price of their stock dropped very considerably. This was a very clear instance of the benefit to the farmers of an increased market; and now they are going to have brought home to them the result of an increase of tariff which will militate the other way and will cause them to have to pay a great deal more for everything they require than they

have done in the past. In this House we cannot, of course, deal with this question, but I think that we should make our strongest protest against the action that the Government have taken in this matter, whilst at the same time notifying the Government that the responsibility rests entirely with them, and that hon. gentlemen on this side of the House cannot be considered to have in any way sanctioned or agreed to the policy which has been adopted, although they do not take any active measures to prevent the passage of this Bill.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—I do not desire to discuss this question at any length, but I desire to put right, if I may, one little question that has been raised, and that is the question of the British preference. The tariff against British goods has been increased 5 per cent and the duty against goods coming from other countries 7½ per cent, thus discriminating against other countries 2½ per cent and consequently in effect raising the British preference 2½ per cent.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—Lowering?

Hon. Mr. EDWARDS—No, it raises it 2½ per cent. Every hon. gentleman who will think for a moment will see that will be the result; that if you discriminate 2½ per cent against other countries you discriminate in favour of Great Britain 2½ per cent; there can be no other effect. The question of raising the duty against British goods at all is another question and can be dealt with on its merits. Hon. gentlemen well know that I am a free trader—I need not tell that to the House; but I will admit that any Minister of Finance in Canada to-day is in a very difficult position, because with the disturbed conditions created by the war it is not easy to forecast what will result, so far as importation or even so far as exportation is concerned. It is a very, very difficult position to deal with, and I frankly sympathize with any Minister at the present time who administers the finances of Canada. At the same time, there is one point which, so far as tariff arrangements are concerned, is a matter of regret to me; I am sorry that the Minister of Finance has found it necessary to discriminate to the extent he has done in favour of protection. The raising of the duties by 7½ per cent on raw material of course means large discrimination in favour of the manufactured goods, because the duty on the manufactured goods may be two or three times increased.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—So I regret that that has been done. It is necessary, of course, because we cannot get over it, to raise a larger revenue from some source. That is undeniable. So far as the war is concerned, every ill from which Canada is suffering is attributed to it. Well, that is not true. If there had been no war Canada would have had to pass through a very considerable period of readjustment—largely brought about by the overbuilding of unnecessary railroads.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—That is one of the most important policies for which the whole people of Canada are responsible and blameable. During the period of apparent good times that we enjoyed—I did not enjoy them, but a great many people did—for a great many years, the people of Canada got it into their heads that we were now on the upward move and that nothing in the world could prevent Canada from going ahead under any conditions. But we found out that it was possible for us to overdo ourselves, and we had done it, and consequent on that there had to be a very great period of adjustment under any circumstances, war or no war—of course aggravated and accelerated very largely by the war. The simple point I want to make is that I fear the increase of duty in favour of protection will have the opposite effect from that intended, and will not give the results in so far as returns from customs are concerned.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—Because, you cannot do two things, one opposed to the other, at the same time; you cannot protect and consequently shut out, and at the same time increase the importation and thereby get revenue. I sincerely hope that everything will come out right, but that point occurred to me very strongly at the time the Finance Minister made his speech that the increase of manufacturing in Canada by increased protection would not amount to very much. I do not think the tariff increase will accomplish that end.

Hon. Mr. McSWEENEY—I should like to ask, have the manufacturers raised their prices since this tariff has been put in force?

Hon. Mr. EDWARDS—Will the manufacturers raise their prices? Well, in my humble opinion, yes, I think that some manufacturers will.

Hon. Mr. McSWEENEY—Have they?

Hon. Mr. EDWARDS—That I cannot tell you; I imagine that some will; and, of course, from my standpoint, that will be hurtful to Canada. But again, I say, the position is an exceedingly difficult one, and it behooves every Canadian who thinks upon these subjects to offer his opinion and give his very best advice. Canada has her difficulties ahead of her, whether there be war or no war. Of course, the war accelerates and augments that condition very much. We have a great problem, and every Canadian must exert his very best efforts to bring about results which will be favourable to Canada. We have a great country, with great resources, and to develop them is the problem we must solve, in the best interest of the country.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—Of course, free trader as I am, I firmly believe that no measure of protection can help in the development of Canada; it can only have the reverse effect, and I have risen only to say a few words on that subject, which is near to my heart.

Hon. Mr. McSWEENEY—I can give you a concrete case in regard to raising the prices in Canada. The Dominion Textile Company some ten days before the tariff measure was brought down raised their prices 1 and 2 cents a pound, and they are buying their raw cotton now, and have been for some time, at 50 per cent less than they did last year. They are buying it now, and have been, for about 7½ cents a pound.

Hon. Sir MACKENZIE BOWELL—Did it cost them any more to purchase it?

Hon. Mr. WATSON—It costs them less.

Hon. Mr. McSWEENEY—Last year they were buying that same cotton for 12½ cents a pound, still in spite of that, in spite of their getting the raw material 50 per cent less, they raised their price 1 and 2 cents a pound. I cannot give a better specimen than that.

Hon. Mr. MURPHY—Will the hon. gentleman say what the tariff had to do with that?

Hon. Mr. McSWEENEY—The Government raised it 5 per cent—25 to 30 per cent on the British goods. They are buying the raw material for half the price last year, and they have raised the price 1 and 2 cents a pound.

Hon. Mr. DAVIS—This is a question that affects the people in the part of the country in which I live to a very large extent, and as my hon. friends on the other side of the House are no doubt aware, the people in my part of the country do not like an increase in the duties.

Of course my hon. friend who made such a voluminous statement in introducing the Bill, said it was a war measure. The people of the west are very patriotic, and will not hesitate for one moment to find all the money required to prosecute this war, and if you could impress upon them that this taxation was for the purpose of getting money to conduct the war it might have an effect; but unfortunately for my hon. friend, the people in my part of the country are well posted. We have a class of men known as the Grain Growers, and they are well-informed on tariff matters, and all matters connected with public affairs in this country, and they know very well this increase of the tariff is not for the purpose of the war, that every dollar that has been used to conduct this war up to the present time has been borrowed from Great Britain and in the future the same course will be pursued, and all we could expect to take out of this revenue would be the interest on that money if we could get that, when interest is due. Therefore it is misleading the people to call it a war measure in that sense. It is a war measure in another sense. When these gentlemen took office a few years ago they found a full treasury. They played with the money the way children play with toys; they thought there was no end to it; Canada was prosperous and they spent money right and left. They have increased the expenditure in every way they could. The wise mariner seeing a storm approaching takes in his sails. Did these men do that? No, they put on more canvas until the ship of state is nearly swamped. Look at the public accounts and the increase in every line. Take the collection of revenue, it has increased in round figures from twenty-four million to thirty-nine million

in three years. I suppose that is accounted for by the ten thousand extra employees, people who had been looking in vain for a job for fifteen years. On March 16, I asked a question about homestead inspectors and fire rangers. And the information I obtained is just a sample of what is going on in the country from one end to the other and all departments are in the same position. Every man who has been supporting the party for fifteen years thinks he should have a job, and get his hands in the treasury, and unfortunately the gentleman in charge of the treasury at the present time has not backbone enough to protect it. The revelations before the committees at the present time show to what extent the looting has been going on. The business of the State should be conducted as an ordinary business is managed, and a businessman, finding hard times and his income decreasing, would not increase his expenses; he would sit down and figure how he could reduce expenses. The gentlemen in charge of the affairs of this country have not done that.

Hon. Mr. WATSON—They have done the opposite.

Hon. Mr. DAVIS—I asked how many fire guardians and forest rangers were employed in 1912, when the country was enjoying a wave of prosperity and the answer was 136. I asked how many fire guardians and forest rangers were employed in 1914, and the reply was that the number had increased from 136 to 294, and the cost was increased from $90,626 in 1912 to $177,971 in 1914.

They have increased the number of homestead inspectors from 48 to 69, and the cost of inspection was increased from $101,969.22 in 1912 to $150,869.49 in 1914.

Hon. Mr. WATSON—And fewer homesteads to inspect.

Hon. Mr. DAVIS—Yes. At that time the patents had been pretty well issued in that part of the country, I tried to find out how many inspections had been made in 1911 and 1914, and could not get that information re 1911, although I pointed out that the information was in the department. I venture to say that there were more inspections made by the homestead inspectors in 1911 than in 1914 by the 69 inspectors, because, in place of inspecting homesteads, the majority of those gentlemen, from what I have seen, have been inspecting bars. That is just a sample of the extravagance going on in this country. I did not get any information from the leader of the House in reference to the question as to how many inspections were made in 1911.

I read the second speech of the Finance Minister, and I think any hon. gentleman who has read that speech should be presented with a medal if he wades through the repetitions and puzzling statements in that speech. He says that the late Government, when they retired from office, handed to the Conservative party a terrible responsibility in the way of obligations that had been incurred and which must be met. I venture to say that if the Government of Sir Wilfrid Laurier which took office in 1896 had taken stock, the same as a business man would, of all the assets handed over to them by the previous Government, aned if stock had been taken again in 1911 when Sir Wilfrid handed over the management of Canada's business to the present Government, I am pretty sure the statement would show that the public business had been conducted pretty well for the people of the country.

Hon. Sir MACKENZIE BOWELL—Not a bit of it.

Hon. Mr. DAVIS—How many people were there in Montreal and Toronto in 1896. How many railroads in the Northwest? How many people in the whole country? What was the revenue of the country, and what was the whole trade of the country? Take these things and figure them out and give your verdict. The idea of the Finance Minister rising in his place and talking of the responsibility he assumed when he was handed over prosperous country, and a flowing treasury, a country grid-ironed with railways in the West. Where we had nothing at all in 1896, we have now a system of railways, and numerous cities all over the country, a peopled and developed West, made out of a wilderness.

Hon. Mr. McKAY (Cape Breton)—Who grid-ironed that part of the country with railroads? We do not know of any railroad the Government put through there except one.

Hon. Mr. DAVIS—My hon. friend did not live in the West as I did in the early days, and one of the reasons people could not be induced to settle there in those days was the fact that we had only one railroad, which the hon. gentleman can take credit for, and that railway used to charge 6

cents a mile for people travelling, and a farmer could haul his product by oxen cheaper than having it transported by the railway.

Hon. Mr. WATSON—They had a monopoly.

Hon. Mr. DAVIS—But now we have the people there. How many emigrants were brought into this country in 1896?—16,835. And how many the year before the Laurier Government went out of power?—354,234. Does not that show what wonderful progress was made under the Laurier Government? The hon. Minister of Finance talks about the liabilities handed over to the present Government by the Laurier Government. I would ask him this: were the million handed over to the Ontario Government for the construction of a line of railway that was built for the exclusive benefit of Ontario, and to open up their lands for development and sale—the said railway being an asset in the books of the Ontario Government, and not subject to the Dominion Railway Commission—was this amount a liability left by the Laurier Government? Were the millions given Mackenzie and Mann on account of another provincial railway in British Columbia, a liability left by the Laurier Government? Were the other fifteen millions given two years ago and the forty-five millions given last year to the same gentleman a liability left by the Laurier Government? Was the expenditure of a million on unnecessary works in Calgary, to assist their pet lamb in Alberta, Mr. Bennett, a legacy of the Laurier Government? Were the millions spent on the harbours in British Columbia to assist their political friend, Mr. McBride, a legacy of the Laurier government? Take the public accounts, they show that the ordinary subsidies given to railways in 1911 was a little over three million, and last year it was over nineteen million. Talk about legacies handed down by the Laurier Government, are these 132 or 133 commissioners to whom the Government is paying salaries from $5,000 to $7,000 each and big bills for travelling expenses, and they are supposed to be doing something—are they legacies? There has been a commission appointed for everything. It was a panacea for all ills. It is done in order that hon. gentlemen opposite may put some of their political friends in a position where they can get a reward for their services to the party in years gone by. If they would only be honest and say, "We are trying to do something for our friends," it would be different. But what have these commissions done? We have an Indian Commission in British Columbia. What have they done?

Hon. Mr. RILEY—Gone to the Frisco fair.

Hon. Mr. DAVIS—Yes. We have all kinds of commissions and when these people go on appointing commissions and building drill halls all over the country in small centres until they find the treasury empty, and when they find they have no money and must get it some way, they make the war an excuse for increasing taxation. Finding the treasury was empty, they should have taken some means of curtailing expenses, to make the revenue balance expenditure. There is no reason for this tax; they should have kept their expenditures within their income. My hon. friend from Russell (Hon. Mr. Edwards) spoke as a free trader. These gentlemen have no use for free traders, they do not subscribe to campaign funds. But the question is how much more revenue are you going to get out of the seven and a half per cent increase in the tariff. Everybody knows that the higher you raise the duty the less revenue you get. Supposing there are a hundred wagons sold in this country and as a result of the tariff 75 are made in the country, they do not pay any duty. The duty is paid on the 25 that come across the line. By that process you increase the price the farmer has to pay for his wagon in this country, because the manufacturer takes advantage of the duties to raise his price, and where you have $1 going into the treasury you have $3 going to the manufacturer. If you must raise money by a tariff, it cannot be done by a tariff of that kind. If gentlemen want an increase in the tariff and raise the slogan "Made in Canada," the Government should say "All right, we will raise the duty on manufactures 10 per cent, and that will give you the market in Canada, because it will exclude other stuff from coming in, but we will put an excise duty on your products; we will send an inspector to ascertain how much you have manufactured and sold, and collect 8 per cent on all your sales. That would be a method whereby you would get a revenue and the people of Canada would get the benefit of the industry. But to introduce a system of this kind, where you are raising

the duty for the special benefit of the manufacturer is simply ridiculous. Everything is taxed. Pretty soon the hon. minister will tax the air we breathe, railroad tickets and all sorts of things, and he tells you it is a war measure. It is no war measure. A system of direct taxation is better than this method. When the people pay ten cents on a railway ticket and the money goes into the treasury, we know where it is going; but by this method of raising the tariff seven and a half per cent, three dollars will go into the pocket of the manufacturer and one dollar into the treasury. A proposition to raise the money in the way I suggest should appeal to the Finance Minister. It would benefit not only the party to which he belongs, but also everybody in the country. The Minister of Finance seems to be amenable to the loan corporations, railways, etc., and he is a little too prone to assist the manufacturing industries of the country to more protection. He has been brought up in that atmosphere and you cannot blame him. He cannot see the agriculture side of it, but only what the manufacturer wants. He is not looking after the farmer. His attention must be drawn to the fact that the farmers do not want any increase in duty, unless it is absolutely necessary to fill up the depleted treasury after unnecessary expenditure has been cut to bed rock.

The Government should go to work and reduce the expenditure. Should the trips which a minister made on the continent with his automobile and all that kind of thing be charged up to the Laurier Government as a legacy that was handed down? That is only an illustration. Look at the blue-books. I have been looking up some of them and I find that since 1910-11 the debt has increased from $474,000,000, to $544,000,000. I do not know anything these gentlemen have done in the way of progress. They did a little work on the National Transcontinental railway and degraded it in such a way that the Grand Trunk Railway would not take it over. We have looked forward to that road carrying produce almost as cheaply as it could be carried by water. We supposed that the National Trancontinental railway would have such grades that we could send our produce in large loads, and thereby reduce the cost of transportation, that instead of having to depend on six months of navigation for shipping our produce by the lakes, we would have a year in which to ship it by rail. But they have changed the grading, and the bridges, and have made the road, as I understand it, practically useless at the present time as a competing line. The total expenditure has increased from $87,774,198.32 in 1911 to $127,384,472.99 in 1914 with a falling revenue and prospects of depression ahead. Why did they allow this; they accused the Laurier Government of extravagance in prosperous years but when times were hard, instead of cutting down this expenditure they increased it by $39,610,274.99. No wonder they have an empty treasury and require fancy taxes imposed. I mentioned the fact about the collection of revenue earlier in my remarks. I wish to explain that means the collection of the customs, on railroads, post offices and the whole Government business and it is a very large amount. They have increased it from twenty-four millions to thirty-nine millions. That is a fair sample of extravagance. Is there any reason for that? No. The people of this country are not going to be satisfied with the tariff which has been brought down, and you cannot hornswaggle any one into thinking it is a war measure. The Liberal party is quite prepared to vote every dollar required to prosecute the war, but as the ex-Minister of Railways said, "We are in favour of spending millions for the war, but not one dollar for graft." We were asked in August to vote a large amount of money. We voted it without a word of protest. How has that fifty million dollars which we voted been spent? The committees which are sitting at the present time tell us how it was expended—buying boots, binoculars and bicycles at extravagant prices. There were middlemen here, there and all round. Nobody could deal directly with the Government, because the middlemen were there and transactions had to be made through them. And they pocketed millions of the people's money. Then, if you criticise this course of dealing, you are told you are not patriotic. I venture to say 98 per cent of the people of this country do not care how much money is spent on this war; they will contribute all the men and money necessary to prosecute the war, but they do not want one dollar spent in graft. If $100,000 is spent on boots for our men who are fighting in Flanders, we expect them to have proper boots and not boots made out of sheepskin. The men should not be compelled to put shingles on

their feet to keep them off the ground. I do not hold the Prime Minister responsible for this, but I hold him responsible for the fact that he has not proper supervision over the men who are responsible to him for the purchasing. All we can do is to give him advice and it is up to him to attend to it. I am not very well satisfied with the increase in taxes. The people in the country are not satisfied because it is absolutely unnecessary. Cut down the expenditure and there will be no necessity to tax them in the way the Government has done at the present time.

Hon. Mr. CLORAN—The Bill which the hon. leader of the Government has brought down is one that commands not only the serious attention of this hon. House, which after all is a small item in balancing up accounts, but should command the serious attention of the great public of the Dominion of Canada, the taxpayers, the men who furnish the money. We are here to do our criticising, and that is all we can do. That criticism will be of no avail with the Finance Minister under these conditions, but what will be of avail with the Finance Minister and his Government will be the serious questioning of his policy by the electors and taxpayers, and that is what this hon. House ought to undertake to do. We are not called upon to convince one another on this point of protection or anything else, but this House, in its capacity as far as it goes, should bring before the people of the country the facts as they concern the administration of the affairs of Canada. When we do that we shall have accomplished our duty. Whether there be one, fifty or eighty senators in the House makes no difference as far as the argument is concerned. The argument is given out, it is put in the records of the country and can be used by the different organs of opinion, by the different platform speakers throughout the Dominion during the coming general election. That is where we should drive home the wedge. We may talk here from now to prorogation and it would not change one vote. What the Senate should do is to bring before the public the real facts of the case. What is the main fact in this debate? The Government comes down here, as it did elsewhere, and tells its followers that the Bill is a war measure, doing so with the hope that they could blindfold the public, throw dust in their eyes, have the people admit that this war measure of increasing protection in Canada should be swallowed without any comment or discussion because it bears the name of war measure. Anybody criticising a war measure will be put down by these gentlemen who are administrating affairs as disloyal and unpatriotic. That is the game we have to meet, and it is being played by the Administration in the halls of Parliament and will be brought into play on every public platform and in every organ of public opinion during the next six months, when the elections come on. It is up to the Liberals in the House, in the House of Commons and in the country to unmask this campaign and tell the Government they are not dealing fairly or honestly by the people of Canada, that in this Bill they are handing out not only to Canada, but to the British Empire, a gold brick, forsooth a war measure. Here is Canada bleeding itself in money and flesh for the upholding of the honour and integrity of the Empire, and this Government under the mask, and under the deceptive term of war measure, says to us, "Don't buy English goods unless you pay 5 per cent more for them". Is that the noble scheme of an ally, a child of the Empire towards its parent? Is that the attitude which Canada in its power, strength, wealth and richness should assume to the Mother Country in its hour of stress, when even its own children are on strike, refusing the manufacturer the goods necessary to bring this war to a successful end? Are we going to back the dock labourers in England. the factory hands in England who are on strike, and tell them that Canada backs them up by placing a duty of 5 per cent on British goods? Where is your Canadian Conservative Government in this matter as far as loyalty for British arms, the British Government and British people is concerned? These are the things and this is the point that will appeal to the people of this country. It is not the mere quoting of figures here and there. Let the people of Canada understand that this Bill is a gold brick both for Canada and England, and then we will see where the Minister of Finance will stand at the polls, we will see whether the brave soldiers who are laying down their lives in the trenches of France and Belgium will cast their ballot for a Government which says to the people of Canada: "buy no goods from England; you have to pay 5 per cent duty on them." When a man has only a dollar he cannot purchase an article which costs $1.05. This law is a most pernicious and unnecessary one, and undermines the stability of the

Empire. The soldier knows no politics, all he knows is how to handle his gun to strike the enemy down. The present Government is undertaking a task which will redound against it as it should, inviting the co-operation of poor soldiers, wounded and dying, asking them to send over votes for certain candidates throughout this broad Dominion. Is that the kind of legislation this Government is going to give to Canada? Is that another war measure? The people of this country will not stand for it when the facts are blazoned before them in all their true colours and light and not to be told: "we want this Bill passed with 7½ per cent protection against foreign countries, and 5 per cent against Britain, and we want it passed because it is a war measure." That has done its duty in the Lower House, but it cannot do much of a duty here. We cannot undo the evil perpetrated in a lower sphere, but we can prevent by courageous and true expression of opinion the evil from being propagated throughout the length and breadth of this country. That is the position, and I am glad to have followed my hon. friend from Alberta in this debate. He has fortified his statement by facts and figures taken from the blue-books, which ought to condemn any government. Just imagine a meeting of 200 or 300 good honest electors being told that the collection of revenue in 1911 was only $26,000,000 and that three years later it was brought up to $39,000,000 without any necessity. How many voters would you get to support this Government except the hide-bound partisans? One citation of these figures would be enough to open the eyes of the electors of this country and have them cast their ballots against men who are responsible for this state of things in Canada. I could quote many other figures and facts to maintain the position I hold in this hon. House. Of course I know it does not meet the wishes of hon. gentlemen opposite who are supporters of the Government, but let me tell them, beware of bringing down gold bricks to Parliament. The people will have the examination of these bricks and they will have to be pure solid gold if the hon. members wish to be returned in the next general election which is coming soon. Let the Senate do its duty in this matter. We are responsible to the people. We are old in experience. We have had to do with party strife and political parties, and it is up to the Senate to put the people on their guard, not that the Senate can accomplish anything directly by its action or by its vote or word, but it can bring home to the people of Canada the facts of the case.

Hon. Mr. LOUGHEED—If no other hon. gentleman has any observation to make upon this Bill, I should like, by way of reply, to correct some misconceptions which seem to govern the minds of hon. gentlemen opposite. I would not have considered it necessary to say anything in reply to the observations which have fallen from my hon. friend, the leader of the Opposition, had the criticism been, in my judgment, fair, with reference to the legitimate and increasing expenditure to which the Government of Canada has been committed for some years. I cannot allow statistics of the character of those which have been used by my hon. friend to appear in the Senate Debates without making some reply to the reasons governing the apparent increase of expenditure which has taken place. It is unusual for the Senate to enter upon a longthy discussion respecting a revenue Bill such as the one we have before us, but opportunity has been taken of the occasion, apparently, to make bitter partisan speeches against the Administration now in office.

Hon. Mr. POWER—If the hon. gentleman will pardon me, going back a good many years, I remember that we had such discussions as the hon. gentleman refers to which lasted for several days, conducted by gentlemen of the Conservative party.

Hon. Mr. LOUGHEED—I am not taking exception to the right of the Senate to discuss these matters.

Hon. Mr. POWER—But the practice.

Hon. Mr. LOUGHEED—I am refering to the practice which has obtained of late years. Now, my hon. friend the leader of the Opposition through an expenditure of very considerable industry, has submitted to us a table of the expenditures of the various departments of governmental service showing the increasing outlay which has taken place from year to year. I have not had the opportunity of following closely the figures which he presented, but within the last fifteen minutes I have looked into some statistics bearing upon the subjects with which he has dealt. My hon. friend grew indignant at the increased cost of the collection of revenue. Allow me by way of contrast, to cite some figures as to the growth of the cost of administration during ten years of the late Government. Beginning in 1901—because that is the total that I have before me—I find that the cost of collection of the customs

revenue in 1901 was returned at $1,123,000. —I am not using the hundreds—and in ten years that cost had almost doubled until in 1911 it was $2,187,000. Now, take another item of expenditure: In 1901 the cost of collecting the revenue from Dominion lands amounted to $133,000, but in less than ten years, namely in 1909, it had grown to $548,000. Take the question of excise; in 1901 the cost of collecting the revenue was $458,000; in 1910 it had grown to $660,000 about fifty per cent increase.

Hon. Mr. BOSTOCK—Could my hon. friend give us the revenue that was collected on the Dominion lands in that year?

Hon. Mr. LOUGHEED—I shall approach these various points with the information I have before me and then my hon. friend can judge as to whether the administration of the present Government has not been conducted with a great saving and greatly in contrast with the very increased expenditure which took place during the years I have mentioned of the late Administration.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. LOUGHEED—Take for instance the post offices. The expenditure on Consolidated Fund in 1901 was $3,931,000; in 1910 it had grown to $7,215,000: in round numbers it had increased close to a hundred per cent. Public works had grown from $272,800 in 1901 to $576,000 in 1910, that is on Consolidated Fund Account. Railways and canals had grown from $6,377,000 to $10,215,000. Trade and commerce had grown from $41,000 to $132,000. nearly three hundred per cent. The total collection of revenue grew from $12,503,000; in 1901 to $24,951,000 in 1911; when the present Government came into office. The collection of revenue cost over a hundred per cent more during that period than in 1901.

Hon. Mr. POWER—What does it cost now?

Hon. Mr. LOUGHEED—My hon. friend has the figures there. Will my hon. friend give his figures?

Hon. Mr. BOSTOCK—I have handed my figures to the Debates reporters.

Hon. Mr. LOUGHEED—In 1913 it was thirty-three millions. We have not begun to increase at the rate the late Government increased its expenditure. Let me cite miscellanous expenditure. The administration of justice in 1901 cost $873,000 and it had grown in ten years to $1,246,000, or about fifty per cent. Arts, agricultural census and statistics in 1901 cost $697,000, and in nine years it had risen to $1,403,000—an increase of more than a hundred per cent. Civil Government arose from $1,474,000 to $4,269,000 in the ten years, several hundred per cent.

Hon. Mr. POWER—I think that must be a mistake.

Hon. Mr. LOUGHEED—I am citing the figures from the Public Accounts. It is not a mistake. Of course, in my hon. friend's judgment, it is a mistake, because he has not been sufficiently impartial to investigate the figures closely and to contrast the expenditure of the late Government with that of the present Administration. My hon. friend usually adopts a judicial attitude in viewing and discussing public questions of this kind, but I venture to say that as to this particular situation, my hon. friend has not made the same impartial examination as he would on other subjects.

Hon. Mr. POWER—I am satisfied that there is some mistake.

Hon. Mr. DENNIS—A great mistake on the part of the party responsible for it.

Hon. Mr. LOUGHEED—My hon. friend cited the cost of immigration. Immigration in 1901 cost $444,000; in eight years it had grown to $1,074,000, about 125 per cent increase. Take, for instance, the Indians: the increased cost from 1901, to 1909—was three hundred thousand dollars. Take, for instance, the lighthouse and coast service. In 1901 it was $578,000, in 1910 it had grown to $2,127,000, several hundred per cent. Then take the question of mail subsidies and steamship subventions: in 1901 the cost was $629,000, in 1910 it had gone up to $1,736,000, about 125 per cent increase. Take, for instance, the question of pensions against which hon. gentleman inveigh so indignantly and so frequently; pensions grew from $93,000 in 1901 to $216,000 in 1910, an increase of over 200 per cent. Miscellanieous expenditures on public works grew from $3,386,000 in 1901 to $12,300,000 in 1910, nearly 400 per cent in nine years; railways and canals had grown from $210,414 in 1901 to $987,000 in 1909, an increase of nearly 300 per cent.

Hon. Mr. McSWEENEY—More business.

Hon. Mr. LOUGHEED—Take, for instance, my hon. friend's complaints as to steam-

boat inspection. In 1901 it was $29,000 and in nine years it had grown up to $41,000. Let us take the total expenditure on Consolidated Fund Account between 1901 and 1911—the last year of office of the late Government—the total expenditure grew from $46,866,000 to $87,774,000, nearly 100 per cent increase. Yet my hon. friend takes this Government to task because there is a substantial increase since its accession to office. I will grant that there has been, but I want to point out that for years, owing to the growth of Canada, there has been an irresistible ascending expenditure, which is absolutely necessary, which is in the very nature of events; and to attack a Government because of this growing expenditure without taking into consideration the many and the varied conditions which have arisen warranting that expenditure, I say is an unfair criticism of the Administration.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—Now, let me point out a few more statistics to warrant the conclusion at which I have arrived, because I feel the assumption is wrong, and I think it is discreditable to the Dominion to say that every Government that administers the affairs of Canada is corrupt, and because there is an increase of expenditure that the logical conclusion can only be that the Government is corrupt and is profiting by this increased expenditure. I say it is in the very nature of events that expenditures should increase with the growth and development of the country, and it becomes public men and particularly gentlemen of this Senate, to view dispassionately and in a judicial way important subjects of this kind, and not to stamp upon our public men the questionable reputation which partisan speakers would invariably seek to attach to the character of every public man who is prepared to give his time and his abilities in the administration of the affairs of his country.

Hon. Mr. BOSTOCK—Would my hon. friend allow me?

Hon. Mr. LOUGHEED—Certainly.

Hon. Mr. BOSTOCK—I did not say the Government was corrupt; I was quoting a statement made by the present Prime Minister.

Hon. Mr. LOUGHEED—The total expenditure on Consolidated Fund in 1896, when the late Administration came into office, was $36,949,000. When the present Government came into office that total expenditure on Consolidated Fund Account had grown to $87,774,000, thus showing the growth and development of the Dominion.

Hon. Mr. POWER—That was too much, was it not?

Hon. Mr. LOUGHEED—That shows the growth of affairs in Canada—not more than we are warranted in doing. The total expenditure in 1896, when the late Government came into office, was $44,096,000; when they went out of office in 1911 that expenditure had grown to $122,861,000. Does my hon. friend say that is too much?

Hon. Mr. POWER—I do.

Hon. Mr. LOUGHEED—I did not before hear my hon. friend so emphatic as that.

Hon. Mr POWER—Yes, I did; I always thought our people spent too much at the end of their term. Then my hon. friend does not get over this point, that the present Government is spending a great deal more.

Hon. Mr. LOUGHEED—They are not spending correspondingly more.

Hon. Mr. McSWEENEY—Doing less business.

Hon. Mr. DANDURAND—I suppose my hon. friend recognizes that the question of income is a very important factor.

Hon. Mr. LOUGHEED—We will come to that in a moment. The total receipts of Canada in 1896 were $36,618,000. When the present Government came into office they were $117,884,000.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—That is to say, our revenue or our income had increased nearly three times. Consequently, if my hon. friends on the opposite side should find that expenditure has increased correspondingly, they must reason out for themselves—at least they should, as every business man should—that an increased revenue involves a corresponding increase of expenditure. Now, I do not desire to say very much more except to impress on the House, by the figures which I have pointed out, the very important fact that the growth of Canada has been of such a character as to demand of the Government

of the day, no matter what that Government may be, the increasing expenditure from time to time. As to the present Government, no Government since Confederation came into office under more inauspicious circumstances and conditions than the present Government.

Hon. Mr. POWER—Under more auspicious circumstances.

Hon. Mr. LOUGHEED—Inauspicious. The present Government came into office and became the inheritors of legacies, of liabilities and of obligations, such as no other Government had to face.

Hon. Mr. WATSON—And $40,000,000 ready cash.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—They had to face the results of the extravagance and incompetence and all the liabilities that had been incurred through unwise administration by the late Government.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—This Government had to face the building of practically two transcontinental systems which should never have been entered upon.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—This Government had to face the expenditure practically incident to both those great systems. This government to-day, and not only this government but Canada to-day, is staggering under the load that has been placed upon its shoulders by the late Administration.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—A very substantial part of the general revenue has been expended by the present Government in meeting the obligations incident to the completion of the National Transcontinental railway. This Government has had to go into the money markets of Europe to borrow money for the purpose of completing that undertaking. This Government has not only had to do that, but it has had to hand out of the public exchequer to the Grand Trunk Pacific, in addition to the outlay on the National Transcontinental railway, a loan amounting to twenty-five millions of dollars, and in addition an amount, under the implementing clause of the agreement, of over ten millions of dollars. Those two amounts alone would represent almost the entire revenue of this country when the Government of my hon. friend to my left (Hon. Sir Mackenzie Bowell) went out of office in 1896.

Hon. Mr. ROSS (Moosejaw)—How many millions did you give to the Canadian Northern railway?

Hon. Mr. LOUGHEED—That was another obligation that was placed on the shoulders of this Government. We have had to bear it and carry it through, and in doing so to uphold the financial credit of Canada so far as we possibly could.

Hon. Mr. DENNIS—And one of the hon. gentlemen's friends said he would vote a hundred millions.

Hon. Mr. LOUGHEED—The late Government were willing to vote those large amounts and leave it to their successors to furnish the money, which is always, I need not say, the more difficult task. Then we have other obligations. This Government had to enter on an obligation made by the late Government as to carrying out the Hudson Bay railway, which involves a very large expenditure. So that in the three years during which this Government has been administering the financial affairs of Canada, we have been called upon to furnish money to meet obligations incurred by the colossal mistakes made by the late Administration, an amount representing a couple of hundred millions of dollars, and at a time when we had just entered upon the threshold of one of the greatest financial depressions the world has ever experienced.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—We had scarcely become seated in office before the financial edifice, not only in the United States but throughout the greater part of the civilized world, collapsed, disturbing the finances of Europe at that particular time. We no sooner took hold of the reins of office and proceeded to administer the affairs of this country than we were thus confronted by a financial depression, the most disastrous in its results and in its bearings of any that have happened. Not only had we to face these difficulties, but this depression was followed by the present European war, a war that kindled not only the whole continent of Europe into flame, but has overwhelmed the world's finances. A cataclysm of disaster, the greatest in the history of the world. Did hon. gentleman

expect that the revenues of this country would remain unimpaired, when the whole world was suffering from the financial depression? The logical conclusion was—and the result in fact as well as in theory has been—that our revenues were bound to tumble. The revenue of all the institutions in Canada has fallen off; many of them have fallen off 50 per cent. The revenues of our great railways have fallen off by over 50 per cent, and those of the Dominion of Canada have fallen off likewise. I will venture to say that the income of every hon. gentleman in this Chamber who may have something to do with the larger interests of business will have shown a like decrease. The effects of the depression are felt universally by the people. Then I ask, is it a fair argument for hon. gentlemen on the other side of the House to stand up and accuse this Government of so administering the affairs of this country as to be responsible for this impairment in revenue? It must occur, even to the most unintelligent, that fair play should be extended to a Government administering the affairs of this country, under the disturbed conditions which we all have to face. Some hon. gentleman expressed the deepest solicitude in regard to the preferential tariff being somewhat impaired by the 5 per cent increase in this measure. If there is anything that has appealed to my sense of humour it is the solicitude, the deep anxiety which hon. gentlemen on the Liberal side have always displayed for the preferential tariff. Those hon. gentlemen have taken the very happy unction to their souls that they deserve the credit for adopting the preferential tariff, forgetting that preference came into existence purely as the result of a legislative blunder, made by the late Administration after it came into office.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—We know that one of the first measures brought down by Mr. Fielding when he came into office was a Bill promotive of free trade. Mr. Fielding, when he brought down that celebrated measure proposed offering a 12½ per cent reduction in duties on the goods of any country which admit Canadian goods on equally favourable terms. Now Mr. Fielding at that time had no expectation that this would evolve itself into a British preference, because the sentiments expressed by Mr. Fielding on that particular occasion were these:

> We do not by our resolution offer anything to Great Britain alone. We make our offer not to Great Britain, but to every nation that is willing to accept. We make the offer to every nation that is willing to establish fair and reasonable trade relations with Canada.

This was simply to implement the pledges which have been given from time to time for some years previously by the leaders of the Liberal party, that a measure of free trade as it was in England would be introduced and established in Canada. This was the idea of Mr. Fielding—to reduce the tariff and to reduce it by 12½ per cent, and then insidiously, from time to time, to gradually lower the tariff walls which had been built in 1878, and under which Canada had so magnificently prospered.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—Well, what became of Mr. Fielding's proposal? It soon became obvious that the Government's proposal would prove abortive. Existing trade treaties prevented the general reciprocal offer from coming into operation, and upon the advice of the Law Lords of Great Britain, section 17 of the tariff, offering a preference to every nation willing to accept it had to be repealed, and of course extended to Great Britain alone. I need not point out to hon. gentlemen, because they will all remember it, that the Belgian and German treaties at that particular time, owing to the favoured nations clauses in their treaties, stood in the way of the adoption of Mr. Fielding's proposals; and consequently we find it by a process of evolution, shaping itself into a preferential tariff applying to Great Britain alone. But I might say that between 1900 and 1907 Sir Wilfrid Laurier, by certain amendments, raised the tariff duties to such an extent as to practically place the preference in a more unfavourable position than it has been before it was adopted. Now, Sir Wilfrid Laurier, the leader of the Liberal party, shortly previous to that, had been opposed to preferential treatment to Great Britain. Sir Charles Tupper discussed the proposal in the House of Commons. Mr. McNeil, a member on the Conservative side, brought in a motion for the adoption of a British preference, but it was defeated in the House, and at that particular time Sir Wilfrid Laurier opposed it; but, as I have said, through a concatenation of circumstances or blunders which sometimes happen in legislation, this measure blossomed out into what to-day is the British preferential tariff. For this my

hon. friends on the Liberal side have taken credit, a something for which they were not at all responsible. I find the time has gone by so rapidly that I shall not make any further discussion on this Bill. I therefore move the second reading of the Bill.

The motion was agreed to, and the Bill was read the second time.

BILLS INTRODUCED.

Bill (76), An Act to supplement the revenue required to meet war expenditures. —Hon. Mr. Lougheed.

Bill (85), An Act respecting Seed Grain, Fodder and other relief.—Hon. Mr. Lougheed.

Bill (93), An Act to amend the Judges' Act.—Hon. Mr. Lougheed.

The Senate adjourned until 3 o'clock.

Second Sitting.

The SPEAKER took the Chair at three o'clock.

Routine proceedings.

INSURANCE COMPANIES EXTENSION OF TIME BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 79 An Act to authorize certain extension of time to Insurance Companies.

He said: This Bill makes provision for the extension of charters of Insurances where there would be a lapse unless legislative enactment extended the time for the payment of money, as provided by the Insurance Act. As hon. gentlemen are aware, before a license can be issued to do business, a certain amount of money has to be paid in. There are, I believe, outstanding some charters of companies, which have not yet been able to comply with provision of the Insurance Act to which I have referred. This is intended to extend the time for payment to all companies that are in that position.

Hon. Mr. BOSTOCK—Has the hon. gentleman a list of those companies?

Hon. Mr. LOUGHEED—No.

Hon. Mr. BOSTOCK—We have already put through one or two Bills extending the time for Insurance companies and to a certain extent it is rather unfair. Those companies which have already got their extension have paid their fees and gone to the expense of paying for an extension, whereas under this Bill the companies will be relieved of this expenditure.

Hon. Mr. LOUGHEED—Not necessarily, because under this Act they will have to pay a fee to secure an extension. It will not be as long an extension as is usually granted by a private Bill.

Hon. Mr. BOSTOCK—It will not be for two years?

Hon. Mr. LOUGHEED—No, the Bill provises that the extension will be until after the next session of Parliament.

Hon. Mr. THOMPSON—It is a slight innovation on the rights of Parliament. All this matter has been dealt with previously by Parliament.

Hon. Mr. LOUGHEED—Yes, very much along the line indicated for some time, that private Bills should not be obtained from Parliament but that the promotors should make an application under a General Act for power to do business. It seems to me that is a policy well worth considering.

The motion was agreed to, and the Bill was read the second time.

CRIMINAL CODE AMENDMENT BILL

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 74, An Act to amend the Criminal Code.

He said: This measure has for its object amending the Criminal Code in several particulars. The first amendment provides against assisting alien enemies leaving Canada. This is a phase of legislation which scarcely could have been anticipated until we learned the necessity of it during the existing war. The law is somewhat complicated on the subject, and it has been a subject of discussion, in a case which was recently tried in Toronto. The amendment which is now proposed to be made to the Criminal Code has been suggested by one of the Chief Justices of Ontario, Sir Wm. Mulock. The next amendment proposes amending the code to make provision against the perpetration of fraud in connection with the sales of military clothing. As hon. gentlemen can very well conceive, a great many persons will seek, particularly at a time like the present, when great pressure is being brought to bear upon the

Government, to palm off defective military stores, without proper opportunity being given to discover the fraud that is being perpetrated. This applies to all military stores. It also makes provision against the perpetration of any act of dishonesty, fraud or deception upon His Majesty in connection with the purchase, delivery or manufacture of military or militia stores. The next amendment proposes attaching certain liabilities or penalties to the officers of companies who may in any way be liable for the working out of any such frauds or deceptions as those which I have pointed out. We propose also amending the Criminal Code as to the infringement of copyright in Canada. Heretofore we have had no provision in the Criminal Code against the use of copyrighted products in Canada. I might say that this subject has been considered by the Senate on a previous occasion. I think in 1908 similar legislation was introduced into this Chamber, which had passed the House of Commons, but which was rejected by this House. As hon. gentlemen doubtless know, our copyright laws are somewhat nebulous; we are not in the same position, or have not proceeded to the same extent, as many other countries upon the subject of copyright. The consequence is that there is an absence of legislation in our statutes which would naturally be expected by those interested in copyrights. Hence there has been considerable pressure brought to bear on the Government and others that Canada should amend its Criminal Code to make punishable by penalties the unauthorized use of copyrights. For instance, the authors of certain plays that are copyrighted in the United States, and other foreign countries strongly object to those plays being made use of in Canada without the usual royalty or percentage being paid. Their remedy at the present time is through the civil courts. We have not made it a criminal offence as yet. Pressure has been brought to bear with a view of giving not only a civil remedy in our courts, but also enforcing its observance through the operation of the criminal law. The other amendments deal with a class of criminal law which I think will appeal to hon. gentlemen. This Bill proposes making greater the penalty than has heretofore obtained against the inmates of bawdy houses. When we go into committee I shall be very glad to discuss to some further extent the desirability of this legislation.

Hon. Mr. BOSTOCK—I do not propose to object to any of the clauses of this Bill, but I should like if the hon. leader would give us some information, especially on the copyright clause when we go into committee. It would be interesting to know how the matter stands in England and the United States—how they deal with the question. I think the other clauses of the Bill are quite necessary, but we can discuss them better in committee than at the second reading.

Hon. Mr. DANDURAND—I can perhaps give a partial answer to the hon. leader of the Opposition as to the situation in Great Britain. I do not speak for the United States, but a penal enactment has been passed in England making it a criminal act to violate the rights of authors in literary or other fields.

The motion was agreed to, and the Bill was read the second time.

AMENDMENT TO BRITISH NORTH AMERICA ACT.

MOTION.

The order of the day being called;

Consideration of the message from the House of Commons requesting the Senate to unite with that House in an address to His Majesty the King, praying that he may be pleased to give his consent to submitting a measure to the Parliament of the United Kingdom to amend certain provisions of the British North America Act, 1867, etc.—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED—At the close of the session of 1914 I had the honour to move, on behalf of the Government, a precisely similar address to the one now before us for our consideration. The object of the address is to divide the Dominoin into four senatorial sections, or groups, not in any way departing from the representation already enjoyed by the Maritime Provinces, the province of Quebec and the province of Ontario so far as the numbers of their representatives in this Chamber are concerned. It is proposed to add, as I have said, a fourth group, giving a representation of 24 senators in this Chamber to that portion of Canada lying west of lake Superior. That is to say, it is proposed to increase its representation in this Chamber to six senators for the province of Manitoba, six for Saskatchewan, six for Alberta and six for British Columbia. As hon. gentlemen are doubtless aware, we already have legislation upon our statute books making provision for a representation of six in the province of Manitoba. Some question has arisen as to whether the Parliament of Canada has authority to

appoint the additional number of 2 for which provision was made in the Manitoba Boundaries Extension Act, passed in 1912. It is considered by some of the law officers of the Crown that this Parliament had authority to make provision for that increase of numbers. However, others have cast a doubt upon the exercise of such authority, and it is, therefore, thought desirable to seek Imperial legislation upon the subject. No question can arise as to the provision which already has been made for the appointment of six senators for the provinces of Alberta and Saskatchewan, respectively. When the North West territories were erected into the two provinces already mentioned, namely Saskatchewan and Alberta, provision was made for a representation of six from each of those two provinces, but inasmuch as Imperial legislation was thought desirable for the other provinces, it was therefore considered proper that the entire representation should be included in this measure. As to the province of British Columbia, hon. gentlemen are doubtless aware, when the British Columbia Act of Union was passed, provision was made for only three senators and no further provision was made for an increased representation of that province in this Chamber. As all those Provinces have simultaneously increased in population, and as they closely approximate each other in population, of course no question can arise as to the reasonableness of the number which is being given to each. It is also provided that the clauses in the British North America Act which makes provision for either three or six additional senators being appointed upon leave being given by the Imperial authorities in the case of an emergency be amended, and that in view of the extension of the number and of the creation of four groups, this clause in the British North America Act should read "Four or eight," as the case may be, instead of "three or six" as it now reads. Provision is also made in the address that each province of the Dominion shall always have a representation in the House of Commons as large as their senatorial representation. The application of this would immediately be made to the province of Prince Edward Island. That is the only province whose representation in the Commons has fallen below that of the Senate. As hon. gentlemen are aware, when the last Redistribution Bill was placed upon the statute book, the representation of Prince Edward Island was reduced to three senators. Upon the passage of this Imperial legislation, therefore, the province of Prince Edward Island would be entitled to four. I might say that this was unanimously recommended by the House of Commons at the time that House considered the Redistribution Bill, and it is of course done with the consent of that House. Therefore, I move that a humble address be presented to His Royal Highness the Governor General praying that he be pleased to place the said address before His Majesty the King.

Hon. Mr. POWER—The request of the Commons was that we should fill up the blank.

Hon. Mr. LOUGHEED—If my motion should carry, then the blank would be filled up as suggested by the hon. gentleman from Halifax.

Hon. Mr. BOSTOCK—The hon. gentleman has referred to this address as being pratically similar to the one presented to the House on a former occasion, but which did not go through because the Government refused to accept the small, and what we considered on this side of the House, the very reasonable amendment that was moved to the address providing that it should not come into effect until the termination of the present Parliament. My hon. friend has said nothing about that question. I do not know whether he has considered whether that amendment should be placed in the address at the present time or not.

Hon. Mr. LOUGHEED—I presume hon. gentlemen will see the error of their ways in adopting that amendment last session, and consequently I make no reference to it.

Hon. Mr. BOSTOCK—We thought the Government might have considered the matter and seen the error of their ways in regard to the handling of the measure. Some hon. gentlemen may consider that this question of increasing the representation in the Senate up to 104, as I think is done by this address, is rather a large order, and that some other way might have been found of dealing with this question. I think there is an opinion held in the country to-day that the Senate, as it stands, is almost big enough in point of numbers for the population that we have in this country, and we might have possibly viewed the question in another light, and considered whether we should have

made any arrangement for a reduction in the numbers; but I propose later on, when we go into committee, to propose an amendment that the first section of this address, paragraph 1 to 6 inclusive, shall not take effect until the termination of the now existing Canadian Parliament. Last year my hon. friend from De Salaberry moved an amendment to this address. He is not present to-day, and I have not had an opportunity of speaking to him to know if he desires to take any steps in regard to that matter. His amendment last year dealt with a very material point, that we are amending the British North America Act and that, according to his view, it ought not to be done, except after consultation with the provinces. The point is that we are dealing with this amendment to the British North America Act without consulting the provinces and we are doing it possibly because this Parliament may consider one of the provinces should be dealt with in a way that, possibly if all the other provinces were consulted, they might not agree to. However, that amendment was not carried last year. I only mention it in case my hon. friend from De Salaberry should want to bring it up when we rise this evening.

Hon. Mr. CLORAN—The same Bill was before us last year, and consequently I have the same objection to it now. Last year I opposed the passage of the Bill, not because it was designed to do justice to the several provinces, but in order to prevent the Government from obtaining an unfair advantage by that Bill in the representation in this House. If the Bill as originally presented and drafted were passed the Liberals in the Senate would be swamped to-day. That is plain English.

Hon. Mr. McKAY (Cape Breton)—Would the hon. gentleman say what he means by being swamped?

Hon. Mr. CLORAN—By bringing in ten or fifteen Tories.

Hon. Mr. MURPHY—That would not swamp the Liberals. They would still have a majority.

Hon. Mr. CLORAN—As long as it is in the power of the Liberal party to prevent that condition of things, it is up to the gentlemen of the party to say that it shall not be done.

Hon. Mr. McKAY (Cape Breton)—The Conservatives are swamped in the Senate now, so that it would be simply tit for tat. We are in a minority.

Hon. Mr. CLORAN—And that is where we hope to keep you if we can, and it will be up to you to get out of that position. The suggestion made by the hon. leader of the Opposition in regard to this Bill is practically the same in regard to the Bill last year and which did not go as far as I desire, on behalf of the Liberal party in this Senate and the Dominion of Canada. The amendment asked that the Government shall not have to nominate these additional senators until after the expiration of this Parliament. What does that mean? Next month if Sir Robert dissolves Parliament, and has the elections in September or October, or any other month, between the dissolution of Parliament and the holding of elections he has the power and absolute right to fill all offices under the Crown. The right of the Prime Minister and the power of the Government ceases on the evening of the general election, as was well laid down by Lord Aberdeen. When Sir Charles Tupper was driven from power in 1896, he was able to name every officer he wanted to appoint up to the date of the election in that year. He had three or four senatorships dangling in the air which had been rendered vacant by the resignations of Senators Anger, Desjardins and others holding them for these men if they were wounded in the fight at that time. They were wounded and driven from public life. And what did Sir Charles Tupper want? He wanted to have them renominated in their old places. Lord Aberdeen said, "Sir Charles Tupper you have no right to fill any position under the Crown now that you have been driven from power," thus making him forever a mortal enemy of Sir Charles Tupper. Hon. gentleman ought to remember the story of the "nest of traitors." There was no man in Parliament at that time and up to the present who spoke more disrespectfully of the representative of the King than the same Sir Charles Tupper when he referred to Lord Aberdeen. Who can contradict that statement? Those who listened to Sir Charles Tupper in the other Chamber will remember the contempt and disdain in which he held the representative of the King after he had refused to sanction the defeated leader's nominations to fill places in the Senate, on the bench, and in other offices. Nearly 40 recommendations passed by Order in Council were not sanctioned by the Governor General on the ground that, after the general election,

he had no more power or authority to act. But up to the eve of the general election he was all powerful, he was absolutely, and rightly he should be so. He had the confidence of the people until that confidence was taken away. What is proposed here, is to place in the hands of a moribund. Government the power of nominating a number of senators which they would have the right to do if vacancies occurred. There are nine vacancies at present. The Government can to-day, or to-morrow, or the day after dissolution, fill these places. It would be their perfect right to do so, but to give them additional power under this law, to put into this Senate, 8, 10 or 12 new senators without concurrent representation in the House of Commons, I say would be an outrage upon the people of Canada and a dastardly blow at the Liberal party. That is plain language and it is what I mean. I am here to protect the interests of the Liberal party within the constitution, but not beyond it. My confrères may say, "Oh but that is partisan; we are independent." When I look across the floor of the House and see all the non-partisan and independent there I am highly elated. I like to follow their example and that is what I am doing. Some of my friends are afraid that I may pass for a partisan, but I pass for a straight Liberal here in the Senate and throughout the country, and let that be well understood. I should like to know what Liberal from Vancouver to Halifax will denounce me for so doing. I travel under no veil or cloak of hypocrisy—straight goods all the time. So that my friend the enemy may know where I stand. I won't knife him in the dark or attack him under the fifth rib, as Sir John used to say of his opponents. I hold that if this measure is to have the effect of giving to the Government of the day the nomination of these new senators before election day, all right, they can have it as far as the law will allow it, but I say that it is within our power, and it is our duty, to prevent the Government obtaining this right to nominate new senators without concurrent representation in the Lower House. That is the principle on which I stand, and I know that the entire Liberal party of this country and many good Conservatives will say, "Cloran is right". Why give increased representation here when the people are without it in the House of Commons. That is common sense. I say that these new positions created by this Bill should not be filled by the present Government until a general election has taken place, or concurrent representation is given to the House of Commons.

Hon. Mr. DANDURAND—In order to satisfy the House that my hon. friend from Victoria division (Hon. Mr. Cloran) does not carry every member to the length that he indicates, I desire to express my dissent from the opinion which he declares to be his own and that of the Liberal party.

Hon. Mr. CLORAN—No more mine than yours.

Hon. Mr. DANDURAND—I will not pretend to speak for anybody but myself. My hon. friend from Victoria division objects to giving the Government the right to appoint these new senators which will be created by this Act. On the contrary, I would invite them to do so. If the outgoing Government were sustained, it would make no difference. If the Government were not sustained I would prefer to see a strengthening of the party which is at present in a minority and which would keep growing weaker, year by year.

Hon. Mr. CLORAN—Hear, hear. That will go with the country.

Hon. Mr. DANDURAND—I believe that the nearer the parties in this Chamber approaches numerical equality in the divergence of opinion which separates the parties, the better it will be for the country, and we have been striving since I have been in the House to find a scheme by which appointment to the Senate might be made in such a way as not to annihilate the party in opposition to the ministerial party. So far we have not been able to agree upon a scheme to bring about appointments to the Senate which would maintain a greater equilibrium between the two parties. It struck me these last days that perhaps we should make an effort while addressing ourselves to the Imperial House to suggest a means by which the system of filling vacancies in the Senate could be bettered. I make no claim to infallibility, but if I had had time to prepare an addition to this resolution I would have gladly framed it on the following lines; in order to bring about the equilibrium between the parties which my hon. friend from Montreal fears so much I would have maintained the right of the government to continue under the present system of appointing senators to this Cham-

ber. I would have even extended the time to the first July, 1917. Elections may take place in 1916. I would have fixed the 1st of July, 1917, as the date for the new regime to come into force, and I would have declared that the Government should cease appointing senators until each of the groups had been reduced to at least 18, in order to diminish the representation in this chamber to 72, instead of increasing it above 100. That is why I would have asked the suspension of the right of the Government to appoint to this chamber after the 1st July, 1917. The main object naturally would be to reduce the number of senators to 72. I have found after some research that when the members of any upper chamber exceed 80 we are much above the proportion that prevails between the Lower House and Upper House in other countries throughout the world, except such countries as Great Britain and Italy, where the number of appointments is unlimited.

Hon. Mr. CLORAN—Great Britain especially.

Hon. Mr. DANDURAND—I have mentioned Great Britain and Italy as two of them coming within my memory. I believe there are many members of this Chamber who hold this view and have held the opinion that the Senate should rather be decreased in number than increased.

Hon. Mr. CLORAN—Would the hon. gentleman be the first to resign?

Hon. Mr. DANDURAND—When I have finished my remarks I will give my hon. friend my opinion on that point. I would add another clause to provide that twenty years thereafter the present Senate should be dissolved and elected under a system of election by the provinces at large, and under the principle of proportional representation. The election of the senators by each province, of the group of senators to which the province is entitled by the electors at large throughout that province would have this double effect; first, to force parties to select men of sufficient stature to be seen through the province, and thus to create a high standard of nominees for the upper Chamber. The second reason for my suggestion, that the provinces at large should select the senators given each province, is that the electorate would be so large that it would eliminate the idea that the influence of money could have anything to do with the result of the election. I would adopt the proportional system of representation because then each province would be sure to have a fair representation during the number of years for which those senators would be appointed, and I would say 9 or 12 years. This is the scheme which I would propose, which, in fact, if I had some time I would draft and attach to this resolution. It is non-partisan. I would make an effort to even up the parties before beginning the election of the number of members of this Senate through a suspension of the right to appoint and I would leave to the electorate twenty years thereafter the right of electing the senators.

Hon. Mr. MURPHY—Is there a danger in that scheme to a small province like mine, when the reduction would reach eighteen that our representation would be eliminated altogether?

Hon. Mr. DANDURAND—If the number of representatives from the Maritime Provinces were reduced to eighteen, for instance, I would think that Prince Edward Island would have to sacrifice one member out of the four.

Hon. Mr. MURPHY—We might have to sacrifice them all if the number reached eighteen.

Hon. Mr. DANDURAND—This is a question of drafting the resolution in such a way as to satisfy each province, and perhaps dividing it by provinces instead of dividing it by groups. The hon. gentleman from Victoria division asked me if I would, at the end of twenty years, suggest the dissolution of this Chamber. As I am among the few members below fifty-five years I might be here at the time of such dissolution. I suppose the majority of members would not be very much affected twenty or twenty-two years hence. However, if I did move such a resolution, and the majority reduced the time limit for the dissolution of this Chamber, I would be ready to go to the electors of Quebec and try to squeeze in among them as representing some portion of it. I move in amendment that this resolution be referred to the Committee of the Whole House.

Hon. Mr. ROCHE—I did not propose to address the Senate until I heard some of the revolutionary remarks made by my hon. friend from De Lorimier (Hon. Mr. Dandurand). Of course we all must acquit the Government of having any intention whatever of augmenting their numbers by any resolution tending towards the

remodelling or the reformation of the Senate. The House of Commons for a number of years has had on the anvil projects of various kinds for reforming the Senate, always with the remote and tangential intention or object of transposing the numbers from one side who are in the majority, to the other side, and giving that side a majority. Of course, that is not a party move or a party advantage. I would think, as an outsider, an ordinary person, that there are in the House of Commons and in the representatives of the House of Commons, and the system of elections of the House of Commons, plenty of subjects on which they could exercise themselves in reforming and purifying the House of Commons, before they attempted to cast out the mote that is in the eyes of the Senate.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. ROCHE—With reference to the reduction of the Senate, decrease of numbers and alterations in its composition, I might refer to a little matter of history which is in the minds, and perhaps in the recollection, of at least several of the members of this House, and that was the period of Confederation. Many members of the House will remember that there was a considerable and lengthy opposition to the matter of Confederation and the measure of Confederation when that was subjected to the people for their approval or disapproval. We remember that Sir Charles Tupper and Sir Leonard Tilley and other gentlemen addressed the inhabitants of Nova Scotia, and particularly the city of Halifax, and I believe the same movement went on in New Brunswick and in the city of St. John. The opposition was strenuous. A large number of the people —a majority of the people, were known to be opposed to Confederation. What was to be done to influence the people and to induce them to vote for Confederation, especially in Nova Scotia? Why, a promise was made that the influence of the Lower Provinces should not be diminished at any time. Strenuous objections were made in this ground, first of all, that the money provision was not adequate, that the amount allotted to the eastern provinces was not sufficient to support their public works and to provide for their necessity. That was one prominent objection, and I think that objection has been well verified and well sustained in all the agitations which have taken place by the provinces for increased indemnity, and the promises from time to time. Secondly, the decrease of representation in the House of Commons which would inevitably result from the acquisition of new territories, making new provinces, and it was promised on that consideration that the resource and safeguard against that was that the representation of the eastern provinces in the Senate should not be diminished at any time, but that they were to be in certain proportion to the four provinces, and they should be maintained as a preventive of the removal of the balance of power in the Commons, the popular representation, to the western provinces which were inevitably to be created. Now, hon. gentlemen, where is the proposition to reduce the Senate? Where is the proposition to alter the preponderance of the equality of the eastern provinces by the admission of new provinces? Because every new province which is introduced reduces the influence and the power of the eastern provinces unless they are proportionately increased, and that cannot be done. Therefore, the safeguard which induced a great number of the four eastern provinces to enter into this Confederation is to be destroyed. I am not in favour of change; perhaps I am too old; I do not see any advantage in a popular representation or a mixed representation. The Senate was created to conserve provincial interests; that was part of the original pact; it was upon this that the Confederation was entered into and we dare not disturb that lest we have a revolution in this country.

The motion was agreed to, and the House went into Committee of the Whole on the Bill.

(In the Committee).

Hon. Mr. MURPHY—It is not my intention to detain the House very long on this subject, as not long ago I fully went into what I would say on the present occasion. This resolution is brought forth as a modicum of justice, as far as my province is concerned, and is intended to safeguard the other two Maritime Provinces from falling below a certain limit of representation which conditions, as they are in Canada today, might permit. As I said last year, I am sorry to see the elements of politics injected into the discussion, and to hear a gentleman rise and say that it is politics and politics alone that suggests his attitude toward the proposed amendment, and that he would endeavor to prevent the resolu-

tion from being carried. To my knowledge this is the first time in any House of Parliament of this country where a gentleman has stood in his place and proposed an amendment having for its end the keeping down of the representation of his province. That is the position the hon. leader of the Opposition occupies on the present occasion. This resolution, which was introduced a year ago, was destined to give the province of British Columbia immediately six members. On that occasion he moved a rider to the resolution, in amendment, that that increased representation would not take place before two years, or until the expiration of the present Parliament. Now, as I say, this is unique, but I am not disposed to quarrel with him. He is representing his constituency as I am representing mine; and this being a modicum of justice we accept it as a compromise, but in accepting it we do not abate one jot or tittle of our rights to the representation of six which we were promised and believed we had, but by a clerical error were defeated from getting at Confederation. This is not only for the protection of Prince Edward Island immediately but prospectively the other two Maritime Provinces are affected. Speaking for Prince Edward Island, I accept it as a compromise, but I do not feel that full justice has been done. In every legislation there must be give and take, and in that connection we will only have to do the best we can until by some turn of the political wheel, or some turn of the diplomatic wheel, we may be placed in a position where we will have full justice done us at a future date. If gentlemen from the West are disposed to vote down legislation for themselves at the present time, that is their business. I am not representing the West. To a certain extent I am representing all Canada, but I am not in a position to speak for the people of the west.

Hon. Mr. DAVIS—When my hon. friend takes the leader of the Opposition to task for voting against a measure to increase the representation of the West, I should like to ask the leader of the House how many petitions he has received from the people in the West for increased representations in the Senate?

Hon. Mr. LOUGHEED—That has nothing to do with it?

Hon. Mr. DAVIS—Have the local Governments been consulted?

Hon. Mr. LOUGHEED—If my hon. friend would read the statutes of Canada relating to his own province and the province of Alberta, and which he strongly supported at the time they were passed, he would find that due provision was made in each province for the appointement of six senators.

Hon. Mr. DAVIS—Yes, but I was going to tell my hon. friend that I have read this resolution, or address, and when you come to make the three western provinces a division and give them just the same representation that you are giving to the three small provinces down in the East, does my hon. friend think that that will do justice to the people of the West?

Hon. Mr. LOUGHEED—If the hon. gentleman wants more I will support him?

Hon. Mr. DAVIS—No, I agree with my hon. friend that there are too many now, but I don't think there should be any more Senators appointed from the West, or any other place, except to fill vacancies, until the whole thing is taken up on some such system as will satisfy the people of this country. By this resolution I believe you are increasing the representation of the four western provinces to twenty-four; the province of Ontario has twenty-four and the province of Quebec has twenty-four; thus the four great western provinces are to have the same representation as either Quebec and Ontario or the three small provinces down by the sea?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—There is a great deal in what my hon. friend from Delorimier said, that the time is now ripe, or will be pretty soon, for taking up the whole subject of senatorial representation. I think with him that there are too many senators now; I think that five or six in each province, and giving all the same number, would be the proper method, as in the United States, and there would be more sense in that than in the present jug-handled arrangement. The best thing to do is to leave it alone at present. There is no outcry in the West for an increased representation in the Senate. They have asked for increased representation in the House of Commons but they will not get it until after the next election. They have asked for bread, and my friends give them a stone.

Hon. Mr. PROWSE—I should like to see this resolution voted on, either for or against the resolution. I speak for the Gov-

ernment of Prince Edward Island and the people that I represent when I say that we do not now accept and will not accept this in settlement of our claim for representation in Prince Edward Island. Our forefathers, the Fathers of Confederation, fought for six long years on the one contention that we should have six representatives, until our Dominion of Canada came to the little island with the white flag and conceded those six members. The Government of to-day have acknowledged our claim by allowing us four, and we are only entitled to three, we do not come up here as serfs from the little province on the plea of poverty or being a small province; we come here as men to men, equal to any other part of the Dominion of Canada, claiming our just rights. We are not asking any favours; we do not want any favours, but we do demand our rights that were conceded to us at the time of Confederation. I am satisfied that if the Government are in earnest in this and want to appoint more senators, there are several vacancies now. I do not think the Government is in a hurry to appoint any more senators from the West; if they were, I think they would fill those vacancies which already exist. I would like, if it were possible, to have this resolution printed in a different coloured ink on the annals of this hon. House in case there might be some mistake made at some future date, and that we might be misunderstood, and that we accept this as a settlement, and that it might stand as a blot against the Government and a stain against the larger provinces until such time as they are willing to concede Prince Edward Island those just rights to which she is entitled.

On clause 2.

Hon. Mr. BOSTOCK—I desire to move as clause 3 the following:

That the first section of this Act, paragraphs 1 to 6 inclusive, shall not take effect until the termination of the now existing Canadian Parliament.

I would draw attention to the fact that that clause is worded very much the same as the clause we moved last year to this very same address, with the exception that as it reads now it would not apply to clause 2, which is the clause dealing with the representation of a province where the number of elected members is reduced, owing to the qualification for representation, to less than the number of senators. Last year the clause, as moved, would have dealt with the whole address. This year the clause, as moved, will deal with the first clause of the address and not with the second clause; that is the difference I am now making. Of course, hon. gentlemen will remember that there is a similar clause to this effect in the Representation Act, which we passed last year, 1914; a saving clause of that Act reads:

This Act shall take effect only upon the dissolution of the present Parliament .

So that by moving this amendment we are only placing the Address in the same position as the Representation Act for the House of Commons.

Hon. Mr. LOUGHEED—But where do you propose your amendment should come in?

Hon. Mr. BOSTOCK—As clause 3 of the Address.

Hon. Mr. LOUGHEED—I would like it moved in the ordinary way. I am waiting for the motion.

Hon. Mr. BOSTOCK—I move that motion, seconded by the Hon. Senator Power.

Hon. Mr. CLORAN—I propose to have this idea embodied in that Bill; I want to place before the House for the last time what I conceive to be in the interest of the general public of Canada. I may not succeed. The idea I want to have embodied in this Bill reads as follows:

That the proposed increase of the number of senators under this Act shall only take place concurrently with the increased representation in the House of Commons.

Now, my amendment makes no mention of dissolution of Parliament, or any other event. If the Government wants to give increased representation to the people of the West it is within their power and their right to do so.

Hon. Mr. POWER—Not at all.

Hon. Mr. CLORAN—And there is no necessity for a general election for two years to come; so the Government, under the provisions of the statute to-day, can to-morrow give to those western provinces the increased number of senators which the Act empowers them to grant. As soon as they do that, then the Government should have the power and the right to increase the number of the senators concurrently with that proper representation in the House of Commons. I hope the hon. gentlemen will seize what I mean. I do not want to deprive the Government of any fair advantage of administration in regard to nomination of senators or

anything else, but I ask them to be fairer to the people of the country. I ask the Government not to give this House a representation which the people have not got in the popular Chamber. Am I right, or am I wrong?

Hon. Mr. DANIEL—Wrong?

Hon. Mr. MURPHY—They have it in the popular Chamber.

Hon. Mr. CLORAN—What? Why, the increased number of senators is based on increased population, and increased population gives the popular Chamber increased members or representatives. Now I say to the Government, increase the number of your popular representatives according to population, and then take the right to increase the number of your senators. I have no objection to the Government taking every advantage under the census, or any other law, to secure power for themselves. I am a party man, but not so extreme that I would be disposed to prevent my enemy from getting any fair advantage in a fight if he is able to deliver the blow; but the Government is holding over the readjustment of representation for the past five years.

Hon. Mr. POWER—Four years.

Hon. Mr. CLORAN—Holding over the requisite representation demanded by the constitution, holding it over for the past five years, and leaving hundreds and hundreds of thousand of people, if not voters, without representation in the Lower House as well as in this. The census was taken four years ago, and here we are in the year 1915. Why, the next census will be taken before those people who have been in the land for the past 10 years have a representation. Why does not the Government get up and do business and give representation to those people? I have no objection whatever; on the contrary, I would urge the Government to give equal representation or proportional representation in this hon. House. I stand here the last time to say so, as I find it useless; but I want to go on record as standing by the rights of the people, and that they should have in the Upper Chamber a representation which is not perfectly representative in the Lower House. These are principles which no sane statesman can contradict. My amendment to the Bill is simply in that respect that the proposed increased number of senators under this Act can only take place concurrently with the increased representation in the House of Commons. If that does not appeal to the common sence, fair play and justice of the Senate, then I will leave it to the country to decide.

Hon. Mr. LANDRY (Speaker)—What is the difference between that amendment and the other?

Hon. Mr. CLORAN—The difference is this: the amendment of the leader of the Opposition is that the increased representation shall only take place after the expiration of the present Parliament. What does that mean? I have been explaining that for an hour this afternoon and evidently His Hon. the Speaker has not got on to it yet. Well, I will tell him what it means in two words. On Monday or Tuesday next Sir Robert Borden dissolves the House; dissolution of Parliament has taken place; the elections will be held, say, in November or October or September; but Sir Robert Borden, still Prime Minister, having the right, the absolute sway of the destinies of this country, can name all the senators under this Act as well as fill the nine vacancies. Now, what I want to accomplish to prevent the Government having the power to name any senator after the general election. Do you understand.

Hon. Mr. LANDRY (Speaker)—Yes, but that cannot become law before it is adopted by the Imperial Parliament.

Hon. Mr. CLORAN—We do not know. The Imperial Parliament can do it by wireless telegraphy, can do it in 24 hours, or 10 hours. I want the general principle. I want to give the Government the right, up to the general election, to name everybody to public office under the Crown until they are dismissed by the popular vote. But I do not want to put it in their power under this Act to name the 8 or 10 additional senators when I can oppose it, and when the Liberal party should prevent it. They have the right now, or after the dissolution, to fill the vacancies; but what I ask is not to put in the hands of a Tory administration the nomination of 8 or 10 senators when we can prevent it. That is plain English. If you do not like it you can go and ask the party that supports it; I am done with.

Hon. Mr. POWER—We had a measure, practically identical with this, before the House last session, and we amended it just in the same terms as it is proposed to amend this address now. We propose to add a clause to the Bill which the Imperial Parliament is to be asked to pass,

and this we have a perfect right to do. There is no reason why we should depart from the course which we adopted last year, the circumstances being the same. If this amendment goes into operation, then no addition can be made to the number of senators until this Parliament expires; that is the great point, and I think it is a view that should commend itself to any independent member of this House. There is no necessity that the representation in the nominated House should be increased, that a number of gentlemen who do not represent anything except the wishes of the Government should be introduced into Parliament long before the members who represent the electors come in. Now it is common sense and reason that this House should not be increased until the House of Commons is increased, and that is practically what the amendment means. I trust that hon. gentlemen who voted for the amendment last year will vote for the same amendment now. The little variation in the language of the amendment from last year is intended to provide for the case of Prince Edward Island. Under the amendment that we made last year, if the Government had accepted it, Prince Edward Island would not have been entitled to the benefit of the proposed Act until the dissolution of the present Parliament; and I suppose it would not now either. Practically it is the same thing, but it is just as well to emphasize the fact that there is no desire to deprive Prince Edward Island of the additional member to which she would be entitled under the Bill; and I think the hon. gentleman from the Victoria division is to a certain extent labouring under a misapprehension as to what the motion really means.

Hon. Mr. CLORAN: I am not under a misapprehension at all; I am under an apprehension; I apprehend things that are going to happen, and it will serve the Liberal party well right if an hour after Parliament is dissolved it happens that the Right Hon. Prime Minister of this country, nominates 8 or 10 senators without concurrent representation in the House of Commons. I pray God now, if this thing is not carried through, that he will do so, and he will be very foolish if he does not; if we put it within his power he will be within his right. But I hold that we have the power and we have the right here to block that attempt against misrepresentation. It is all very fine for the hon. senator from Halifax to place confidence in the good intentions of the Government. I never place any confidence in good intentions; I place confidence in facts, and I hold here the Liberal party will be delinquent and not fulfilling its duties if it does not guard against the Government increasing the representation in this House without concurrent readjustment of representation in the House of Commons. I stand on that principle, I stand on that basis; and I stake my political reputation before the people of this country, and especially before my Liberal friends.

I would not blame a Conservative party to-morrow if, after dissolving Parliament, they should name ten or twenty Conservatives—that is, if they are able to do it; but what do our lukewarm friends amount to when it comes to getting votes throughout the country? Nothing. I stand here to make votes for my party and nothing else. I have no interest in the matter. I do not know who is going to be nominated and I do not care. I do not want to put shells in the hands of the enemy by furnishing bad boots, shoes or binoculars. We have had enough of that without our giving them any more.

Hon. Mr. LOUGHEED—I cannot permit this amendment to be proposed without stating, on behalf of the Government, why I think this address should be accepted as it has reached this House from the Commons. This is a constitutional amendment. It does not propose to do something new, except as to British Columbia, and in all justice to that province I challenge any one, and more particularly my hon. friend the leader of the Opposition, to question in any way the justice which is proposed to be given to British Columbia in increasing its representation from three to six. Let us see if this is an innovation which has been introduced by this Government involving any political consideration. I deny that this resolution in any way involves political or party consideration. It is purely a matter of legislative enactment already placed upon the statute book, a matter in which we already have guaranteed to the provinces interested the additional representation which they ask. Dealing first with Manitoba, I refer to chapter 32 of the statutes of 1912, section 7, which reads as follows:

> The province shall continue to be represented in the Senate of Canada by four members, provided that such representation may, after the completion of the decennial census of June,

1911. be from time to time increased to six by the Parliament of Canada.

I need not point out to hon. gentlemen that the decennial census of Canada was taken in 1911, and from 1911 down to the present time the province of Manitoba has been without the representation to which it was entitled under this legislation now in my hand.

Hon. Mr. WATSON—And deprived of five members of the House of Commons.

Hon. Mr. LOUGHEED—That may be.

Hon. Mr. LANDRY—Not against the law.

Hon. Mr. LOUGHEED—My hon. friend is entirely mistaken, and it may be attributed to the fact that he has not read the statute when he takes the position he has done in regard to his adopted province. Manitoba is not entitled to any increased representation in the House of Commons, nor is any other province of the Dominion of Canada, until the Redistribution Bill is passed after the decennial census is taken and a dissolution of Parliament takes place. There is such a material and substantial distinction between the increased representation in the House of Commons and the representation in this Chamber that we are discussing that he who runs may read, and that any intelligent student may easily draw the distinction. Any one reading this section can only interpret it to be a compact deliberately entered into and sanctioned by this House as well as by the House of Commons: by which we agreed immediately the decennial census was taken, to give the province of Manitoba the increased representation which we in this statute provide. Will hon. gentlemen say that as to Manitoba such an amendment should be imported into this address and that we should listen to the political harangues that we have been subject to to-day, that the Liberal party must not lose its ascendency by reason of granting this legislation which has already been guaranteed by statute? I think it stultifies the Senate, it does an injustice to the intelligence and obligations of the Senate that we should have to listen to harangues dealing with the losing of the ascendency of the Liberal party when Parliament is called upon to give the effect to the guarantee which it has solemnly placed upon the statute book of this Dominion. Let us look at the other provinces and see what is said in regard to them.

Hon. Mr. ROCHE—What about the guarantee of the British North America Act.

Hon. Mr. LOUGHEED—We are dealing now with the statutes of Canada which have been deliberately and solemnly passed by both Houses of Parliament without any consideration, such as have been introduced to-day having been imported into them. In 1905, when the late Government was in office, my hon. friends who are to-day opposing this legislation, and who are not only stultifying themselves, but seeking to make inoperative the statutes which are upon the statute book, placed this provision in the Constitutional Act of Alberta and in the Constitutional Act of Saskatchewan. Referring to the Act of Alberta we find this provision:

> The said province shall be represented in the Senate of Canada by four members, provided that such representation may after the completion of the next decennial census—
>
> which took place in 1911
>
> —be from time to time increased to six by the Parliament of Canada.

The same is to be found in the Constitutional Act of Saskatchewan, clause 4, reading precisely the same as the section in the Alberta Act. The late Government placed this legislation upon the statute book in 1905; the present Government placed upon the statute book in 1912 the same provision as to the province of Manitoba, and in discussing those Acts did any hon. gentleman have the temerity at that time to say that this would not be done until after a general election takes place? I appeal to hon. gentlemen, if the late Government were in office to-day, having placed that legislation upon the statute book and having a Liberal majority in the Senate, would those hon. gentlemen have suggested that this amendment must be made? Nay, I say they would not have tolerated it for a moment. They would have pointed out the sanctity of the Acts of Parliament and the absolute necessity of keeping good faith with the provinces to which this Parliament had agreed to give the increased representation necessary. I say it does a rank injustice to the Senate of Canada with this legislation upon the statute book, to say that until a general election takes place, until Liberals find whether they are to be in power, you shall not give this increased representation to the provinces so entitled. It does an injustice to the standing of this Chamber, not only in the Parliamentary discussion of this country but in the good opinion of the public which

we seek. I ask hon. gentlemen to deliberately ask themselves if Sir Wilfrid Laurier's Government had been in office to-day would the amendment that is now proposed have been imported into the Address? The Address would have been presented to both Houses of Parliament just the same as it has been done to-day and hon. gentlemen deep down in their conscience, know that such an amendment would never have been conceived, or discussed. This is all I have to say upon it. This Government was authorized by the Acts of Parliament to which I have referred to bring down this legislation, and I say that the action of Parliament as deliberately and solemnly placed upon the statute book is being defeated, both in the spirit and in the letter, by the introduction of this amendment which is now being sought, and I in the name of the Government and speaking for the rights of those Provinces which are entitled to increased representation in this Chamber, protest against the amendment which has been suggested by my hon. friend the leader of the Opposition.

Hon. Mr. THOMPSON—If I understand the hon. leader of the Government aright. I think he attaches too much importance to the taking of the census. I do not concede that the census is taken particularly for the purpose of adding to the membership of the Senate of Canada for those several provinces. As the hon. gentleman read it to-day he attached more importance to the census being taken than to the question of representation in the other branch of Parliament. I really have always understood that the taking of the census was intended more to affect the Commons than the Senate, and it would be more important in my opinion that the people interested in that respect were carried out than that the additions should be made to the Senate as proposed. So far as I am personally concerned, I desire to say that my vote is not from any party standpoint, but because I believe the appointment of senators is subsidiary to the representation of the people in the popular Chamber. Where the taking of the census has established the fact that the several Provinces, are entitled to more members the increase should take place as early as possible, and in respect of that, the appointments that would necessarily follow in the Senate should be made. But the taking of the census, in my judgment, is absolutely more important in respect to the representation in the other branch of Parliament than as regards representation in the Senate.

Hon. Sir MACKENZIE BOWELL—That is a good reason why the hon. gentleman should not support the amendment.

Hon. Mr. DANDURAND—I am surprised at the heat with which my hon. friend, the leader of the House, has spoken. It seems to me that the vast majority of members of this House who have listened to him are so near to each other in the drafting of this resolution that there is no cause for any excitement. Of course, if my hon. friend had addressed his remarks to the ultra partisan address we heard, and which could perhaps be called a harangue, if there is nothing derogatory in calling it such, of my hon. friend from Victoria division, speaking exclusively from a party point of view and for himself alone I could understand his raising his voice above his ordinary tone. But it seems to me that nothing has taken place outside of the speech of my hon. friend from Victoria division to excite the ire of my hon. friend. How far are we apart? Here is clause 7 of chapter 32, 1912, concerning the representation of Manitoba in the Senate.

> The province shall continue to be represented by four members, provided that such representation may after the completion of the decennial census in June, 1911, be from time to time increased to six by the Parliament of Canada.

If I read the clause which affect Alberta and Saskatchewan, I would find exactly the same wording. The clause reads:

> The said province shall be represented in the Senate of Canada by four members.

I am reading from 4-5 Edward VII, chap. 3, clause 4:

> Provided that such representation may, after the completion of the next decennial census be from time to time increased to six by the Parliament of Canada.

Upon this declaration of Parliament, an Act is framed which is brought before us in the form of an address to the Imperial House. What will the Government secure by this Act? When will the Imperial House pronounce itself? During the course of 1915 or 1916. My hon. friend does not pretend that before the Act is proclaimed by His Majesty the King the Government will be able to act? We can only obtain an increase of the senators of this House through the action which is now being sought, after the Imperial House has pronounced upon it, and this is the fourth, if not the fifth, session of our present Parlia-

ment. What is there to excite the ire of my hon. friend if this Chamber declares that these powers will be effective at the termination of this Parliament? My hon. friend will recognize that tne powers of this Chamber are concurrent and equal to those of the House of Commons, and when we are so near agreeing as to the effect this legislation will have, I wonder why the hon. gentleman does not accept this small amendment, which will hardly delay the action of the present Government. Why should the Government indicate its eagerness to appoint the supplementary number of senators? I know there are eight or nine vacancies in the Senate which have been open for a year or two, and they continue to exist. No haste has been displayed by the Government in filling those vacancies. It seems to me it is much ado about nothing. This Chamber agrees to the whole of the address for an Act which is to be sought from the Imperial Parliament, but says that it will come in force at the conclusion of this Parliament. We are very near the conclusion of this Parliament; if we were not at war we would be expecting dissolution within a few months. Being at war, I suppose we are all agreed, patriotically so, to defer the election till this all-important matter is settled. Why should my hon. friend not bow to the will of this Chamber, and declare unanimously that these powers shall only be exercised at the dissolution of the House. There may be another session and there may not. If this war ends shortly, as we all hope it will, the Government is free to go to the people. The day it dissolves it has in its hands these appointments. so that nothing is taken away from the party in power by this action. The date only is fixed for the coming into force of the Act, and Parliament, in virtue of the Acts which my hon. friend has cited, which cover Manitoba, Saskatchewan and Alberta, can from time to time increase the representation; at one fell blow we give our friends in power the right of appointing them all.

Hon. Mr. LANDRY (Speaker)—The hon. gentleman is generous.

Hon. Mr. DANDURAND—We are not narrow in our views. It seems to me the action of the Senate will be accepted as a liberal action. We offer all that the Government asks. We simply say it will become effective at the termination of this Parliament. We are in the fifth session, and after this war is over my hon. friends can go to the people the day they please; so it seems to me that all this discussion is useless talk, and that when we are all bent upon doing the right thing the amendment should be accepted by the party led by my hon. friend in the spirit in which it is offered.

The committee divided on the amendment which was carried on the following division:

Contents, 27; non-contents, 16.

Hon. Mr. DAVID—I should like to refer to the last clause:

Notwithstanding anything in this Act a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

This is not done in connection with Prince Edward Island, but I think it is a very bad principle and not in harmony with the constitution as it was framed at the time of Confederation. I desire to say that I have not accepted that clause as satisfactory. I remember very well, and the hon senator from Hastings (Hon. Sir Mackenzie Bowell) will remember, that when Confederation was established in public meetings we heard the statement that even if the population of Quebec should increase in a greater proportion than the population of other provinces, the province of Quebec would never have more than 65 members in the popular House, but, on the other hand, the other provinces would be obliged to reduce the number of their representatives in the House of Commons. If Sir George Etienne Cartier were present to-day I think he would take a position similar to mine.

Hon. Mr. DANIEL—I hope the whole subject of Maritime representation will not be brought up on this resolution. My hon. friend stated that Quebec, according to the British North America Act, was to have 65 members and that it has no more now. If it has not any more now, by the additions which have been brought to the province of Quebec since the passing of the British North America Act in 1867, the additional population which that increased territory has given to the province of Quebec has put it in a position to so raise the unit of representation all over Canada that it gives to the province of Quebec a considerable advantage in that respect over and above what it had at the time of Confederation; because there is no doubt in the world at the time of Confederation the province of Quebec did not extend further north than the ridge which separated the watershed of

the St. Lawrence from that running towards Hudson bay. Now if we are going to argue the whole subject of representation over again it will take some time, and I should consider it my duty to take a hand in the debate myself, for I have been very much interested in this matter of Maritime representation, and in the other House, when I was there, took a considerable part in arguing the matter, not alone as far as Prince Edward Island was concerned, but as far as New Brunswick was concerned. The objection which my hon. friend makes is, I think, one that on more considerate reflection he would not raise. The compromise, if you might call it so, which is made in this section to which my hon. friend refers is one that may very well be passed by this Chamber, as it was in fact, I believe, unanimously passed by the House of Commons. I was much interested in reading the debates that took place in the House of Commons on this matter. I found the statement made by some of those who had opposed the granting of any relief whatever to the Maritime Provinces, to the effect that they thought it was really the best thing that could be done in justice to all concerned. It would be very easy for me, in going over this matter, to prove to this House that the Maritime Provinces have not been treated justly. If you take the saving clause, as it was called, in the British North America Act, it was altered and its effect entirely done away with by the amendments made to that Act without the Maritime Provinces being consulted or their consent being asked to any portion of it or in any respect. It would be very easy to go on and give the arguments. I have been over them many and many a time, and am convinced that this clause of the resolution, is nothing more than just. Take the Province of New Brunswick, we had, I think, 15 members at the time of Confederation, we have 13 in this Parliament. At the next election we will only have 11, and our representation in the Senate is 10. If the same proportion of increase goes along over the other parts of Canada our Provinces, being surrounded by the sea, cannot be increased in territory as theirs have been. They are circumscribed and I expect that the province of New Brunswick and probably the province of Nova Scotia by the next decennial census will have to take advantage of this very clause in the Act. On due reflection when the hon. members from the Province of Quebec, take into consideration the great increase of territory which has been granted to them without a murmur, although it affected the unit of representation, can have not a word to say against this clause being made the law of the land.

Hon. Mr. LANDRY (Speaker)—I would ask my hon. friend if he is very sure on that last assertion he has made. I understand that Quebec having 65 members, those 65 are based on the principle of population that old Quebec had, not the new Quebec.

Hon. Mr. Daniel—I am absolutely correct.

Hon. Mr. LANDRY—I doubt that.

Hon. Mr. DANIEL—I wish to remind the Hon. the Speaker that there have been two additions to the province of Quebec. It now includes the whole of Ungava, does it not ?

Hon. Mr. LANDRY (Speaker)—Yes.

Hon. Mr. DANIEL—That addition is not included for the purpose of representation, but the first addition that ran up to the East Main river is included.

Hon. Mr. LANDRY (Speaker)—That is the addition that was made in 1892.

Hon. Mr. DANIEL—1897.

Hon. Mr. LANDRY (Speaker)—Because, as Ungava is added now to the province of Quebec, there is a restriction, and we cannot count that population in fixing the unit of representation.

Hon. Mr. POWER—I have always looked with favour upon that provision of the British North America Act which provides that Quebec shall have a fixed number of 65 representatives in the House of Commons, and that the other provinces shall be represented in proportion to the ratio which their populations bear to the province of Quebec. If it had not been for that provision we should by this time have had a House of Commons of probably 300 members, which is a rather generous allowance for our population. I think the hon. gentleman from St. John rather misapprehends the effect of the addition to the province of Quebec. It is not provided anywhere that Quebec shall have increased representation on account of the increase of her territory. The province of Quebec to-day is entitled to 65 members,

just as was the old province of Quebec; and instead of Quebec gaining an advantage by having Ungava and the intermediate region added to it, she has really diminished her own representation.

Hon. Sir MACKENZIE BOWELL—No, no.

Hon. Mr. DANIEL—No, no, not at all.

Hon. Mr. POWER—She has diminished her own, practically—I mean her proportion of representation. She will be entitled to 65 members, as she has been in the past. Those 65 members will at some future time represent a considerably larger population than the present population. I do not suppose that at the present time there are a thousand people, excepting Indians, living in the Ungava territory, and how on earth the fact that Quebec has been awarded that territory can affect the House of Commons or the representation of the other provinces, I do not understand. It is a pity, and perhaps to be regretted, that any attempt should be made to alter the British North America Act with respect to the representation of any province; but hon. gentlemen will see that the position of Prince Edward Island is different from that of any other province. Prince Edward Island came into the union with the understanding that she was always to have at least 6 members. The same provision was made as to British Columbia, but in the arrangement with British Columbia this provision was inserted in the contract. Unfortunately, in the written arrangements with Prince Edward Island this proposition was not included. I think it would not be very unreasonable if to-day the Government were to bring in a measure dealing with Prince Edward Island, as if that provision had been inserted in the original terms of Confederation.

Hon. Mr. MURPHY: Just one word.

Hon. Mr. DANIEL—I am sorry the hon. gentleman did not understand my remarks. I was not in any way stating that Quebec got more representation; what I said was that the increased territory gave it an opportunity for increased population, and so the 65, divided into a much larger population, would enlarge the unit of representation, and in that way the representation of the Maritime Provinces will be decreased.

Hon. Mr. DOMVILLE—The hon. member for St. John takes exception to the representation of New Brunswick diminishing. Well, why don't they increase in population. There is a lot of hot air going around. I am not talking from one side or the other. There is a local New Brunswick and a local Prince Edward Island, and a local Nova Scotia, and the bishops of all the churches and the chief justices of all the people, and the courts. On what? On a few people. They are able to take care of themselves. Living on fish as they do, they are capable. It is not quantity that you want in the House but quality. I do not care which side of politics they are on, I believe the best men of the country should be represented, whether they are Liberals or Conservatives, or, like myself, temperance lecturers—that is a good word. They are all the time bringing up St. John or New Brunswick in forma pauperis. We are told that they do not increase. Why do not they? Black foxes are increasing, and in Prince Edward Island there are a great many. I was reading a little story from Gressner's History of New Brunswick, written in 1845, telling how the settlers came in. They were not in gilded chambers like this when the people came in with a sack of flour on their back, went up the rivers, and they made the country and did hard work, good and solid men. Gressner says that the great trouble the settler had to deal with was with the black foxes that were so plentiful. Now we are going right back to history, and we are into black foxes to-day. What shall we be into to-morrow? I do not think there should be any squalls in regard to Maritime Province representation. New Brunswick has thirteen now; is not that enough? You can not have one for every man, woman and child in the province. As for the Senate, they have a very good and a very excellent representation.

Hon. Mr. DANIEL—Hear, hear.

Hon. Mr. DOMVILLE—I congratulate my hon. friend from St. John; he has been a real power in the Senate; and perhaps in time conditions will ameliorate, but I hate to come here every session and hear them talking about New Brunswick. Let New Brunswick win its way like the West. After all, the Quebec basis is the correct one; it is 65 into the whole population—a basic representation. We have nothing to find fault with there. I hope my hon. friend from St. John will take my remarks pleasantly.

Hon. Mr. DANIEL—I always take everything pleasantly from the hon. gentleman.

Hon. Mr. DOMVILLE—I congratulate him because he is one of the real senators. This is a moribund Chamber, it has become played out so that it has to have fresh representation which will give soul to this honourable body.

Hon. Mr. DANDURAND—I am somewhat reluctant to allow this address to pass without testing the opinion of the Senate as to the advisability of a permanent increase from 87 to 102; and with the leave of the honourable leader of the Government, I would move this clause to ascertain what the Senate feels over this permanent increase which is sought. Unfortunately this measure comes pretty late in the session, but for all that, should not this Chamber express its opinion if it feels strongly over this matter? Now it looks queer that we should vote an address asking for an increase, and yet add a clause that I was suggesting a moment ago—that from 1917 we should proceed to decrease even the figure at which we are to-day. But I have not objected to the temporary increase for the very reason which I stated—that I feel that when the new order of things is heralded the two parties should be on an equal plane in this Chamber; and that is the reason why temporarily I would have no objection to this increase to 102 provided we added such a clause as I have suggested. If I had a seconder I would move now to add the following after subsection 6:

Subsection 7—After the first day of July, 1917, the Governor General shall not summon any person to the Senate to represent any one of the four divisions until the representations of such division has been reduced to twenty senators, and thereafter no appointment shall be made to the Senate which will give a larger representation to each group than twenty members, or for the whole Senate a total of eighty members.

Hon. Mr. DAVID—I would suggest to the hon. gentleman to move that the committee rise and report progress and ask leave to sit to-morrow morning.

Hon. Mr. POWER—No. Let us dispose of the thing now. At this stage of the session a motion of that sort, which is a dilatory motion, should not be encouraged in this House. With respect to the amendment which the hon. gentleman from De Lorimier thinks of proposing, I should say in the first place that it is hardly germane to the question before the House. I do not think that it is an amendment that is strictly in order. In the second place, I would say that that hon. gentleman remembers as well as I do myself that on three or four occasions we had very prolonged and elaborate discussions in this Chamber as to proposed changes in the method of appointing senators, and there has been a great diversity of opinion on the subject. We never carried it to any definite conclusion, and I hope the hon. gentleman will not press his amendment now, because it is calculated to impede the business of the House at a time when that would be a regrettable circumstance. The question as to the reduction of the numbers of senators is an important one and should be discussed independently.

Hon. Mr. LOUGHEED—I would point out to my hon. friend that a very much more serious consideration is that the proposition absolutely ignores the pact of Confederation, which makes provision for this representation in the Senate. My hon. friend could not seriously entertain any hope of such an amendment being considered by the Imperial Parliament without hearing from the provinces of Canada on the subject.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—Certainly no such violent change should be made in the representation of the different provinces in this Dominion without such a proposed amendment originating with the provinces themselves.

Hon. Mr. DANDURAND—I draw the attention of my hon. friend to the fact that my reduction would be on an equal plane and would maintain the equilibrium, while, in virtue of the measure which he now presents, it seems to me that he would have still more cause to consult the provinces, because he varies the equilibrium.

Hon. Mr. MURPHY—I would draw attention to the fact that the representation from our province might disappear altogether under his scheme. Not only that, but representation in the House of Commons from the smaller provinces might disappear, just as it is now commencing, so that I do not think it would ever appeal to provinces similar to mine.

Hon. Mr. McKAY (Cape Breton)—If this course is persevered in, it is just possible that the whole Senate may disappear.

Mr. McSWEENEY—It likely will in time.

Hon. Mr. WATSON—The leader of the Government has just stated that it would be a violent wrench to the British North

America Act if the amendment suggested by my hon. friend were carried out reducing the number of members. In regard to violence, I think the legislation he has proposed to-day and which we were asked to pass, might be so called, because you are taking away the rights guaranteed to the different provinces under the British North America Act.

Hon. Mr. LOUGHEED—No; quite the contrary.

Hon. Mr. WATSON—Yes, you are providing that the representation of the group of lower provinces shall not be less than the members of this House. Now, I have no doubt that what the member from St. John has said is correct, that by the time the next census is taken New Brunswick will have to avail itself of the benefit of this representation, which has given them undue representation.

Hon. Mr. LOUGHEED—That is, in the House of Commons.

Hon. Mr. WATSON—Yes, in the House of Commons; that is the position, and that is what we passed..

Hon. Mr. DANIEL—The Commons agreed to that.

Hon. Mr. WATSON—I know they are agreeing to that, but we are getting away from the British North America Act. I have a great deal of sympathy with the idea that this change in the representation should not be made without a conference of the provinces.

Hon. Mr. DOMVILLE—Hear, hear, correct.

Hon. Mr. WATSON—This British North America Act is not an Act for the guidance of the House of Commons or the Senate, but is the contract made by the provinces at the time of Confederation, and should not be violated, and we are violating it in this suggestion that is made to-day, and which we have passed. I say I have a great deal of sympathy with the action taken by the representatives from Prince Edward Island. I believe there was a mistake made. I believe it was intended that they should have a representation of six in the House of Commons, and never less, and as far as I am concerned I would support that at any time, and that it should be incorporated into our legislation. But taking New Brunswick and Nova Scotia, I say that in twenty or thirty years' time one elector in New Brunswick will be as good as two electors in Manitoba or Saskatchewan or Alberta, where the population is increasing very rapidly. It is getting away from representation by population, the true principle that was adopted at the time of Confederation. So far as Quebec is concerned, with 65 members, it does not make any difference what the population was, for that is the unit; but the dangerous part that I see is the getting away from this principle. I come from the province of Manitoba, which on two or three occasions has had to rely on the British North America Act for the rights of the province when legislation was attempted to be forced on the province by the Federal Government. We resisted, and Manitoba won out because she claimed her rights under the Manitoba Act and the British North America Act. I think we ought to be very careful, and the Government ought to be very careful, in attempting to interfere with that solemn contract that was made, the British North America Act. Every province of the Dominion should be consulted before there is any interference with the British North America Act.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. THOMPSON—There may be a good deal in the remarks of the hon. gentleman, but I think the provinces ought to have been consulted before they added territory to Manitoba and Saskatchewan and Alberta.

Hon. Mr. MURPHY—Hear, hear.

Hon. Mr. THOMPSON—Before they enlarged those different provinces so that their increased population would affect the Maritime Provinces, the provinces ought to have been consulted, because Manitoba got an advantage that it did not possess when it was taken into Confederation. This disturbed conditions that were made at the time by the British North America Act. The member from St. John may be right, but my judgment is that New Brunswick is coming into her own. Of all the provinces in Canada to-day, the condition in New Brunswick is better than any other province that I know of in the Dominion, and the Maritime Provinces feel less the depression of the war conditions than the provinces that are to the west of us.

Several hon. GENTLEMAN—Hear, hear.

Hon. Mr. CLORAN—The hon. leader of the Government has very well stated the

fact that the British North America Act should not be trifled with. I am very much surprised to find statesmen of the calibre of our friend from De Lorimier standing in his place in this Senate and, without one minute's notice, asking the Senate to pass so injurious a proposition, subverting the provisions of the British North America Act. Evidently all wisdom is not in one head. The demand to change the representation in this honourable House contrary to the provisions of the British North America Act is a proposition that this House cannot entertain. At the outset, we are not a competent body to change the provisions of the British North America Act. His amendment means that the representation of the different sections of the Dominion shall be changed, for what purpose?—Simply to have a smaller membership; instead of having 102 to have 80; instead of 80 to have 60. Well, there is no statesmanship in the reduction of numbers. There is statesmanship in getting sense into numbers. The hon. leader of the Government was perfectly justified when he pointed out that this proposition should not be entertained. This question of representation affects not only this House or the Lower House, but the entire people, for we are living under a constitutional Act which to my thinking should be interfered with as little and as seldom as possible. On every occasion that some reform is wanted, an attack is made on the British North America Act. That Act has done good service for the past fifty years, and it can do good service yet. The men who drafted that Act, who consolidated it put it on our statute book forever and ever, were men of wisdom and large experience; they were not subject to the flights of imagination of today and the wants of to-morrow. They put down the basis upon which this natural confederation of ours has existed, has prospered, and I hope will exist and prosper, so that when we try to disintegrate the British North America Act we are undertaking a task beyond our means and our power. It may be said that we are not the only ones to be consulted in a matter of this kind, that the entire people of Canada must be consulted in regard to changes in the constitutional Act, just as they were consulted in 1865, 1866 and 1867 as to the provisions of the Act. And why should we, or the Lower House, or a legislature, or anybody, attempt to disfigure that Act when it took the united wisdom of the past to draft it and to base it on solid grounds? Hon. gentlemen, we ought to be very careful in regard to these matters, and in reforms to be made! God knows they are numerous enough without attacking the British North America Act. Let that Act stand as it is, and England will approve, for I feel and know that British statemen would stand aghast at a demand of the Canadian people to change a constitutional Act at every stage. The statesmen of Great Britain are better founded on constitutional principles, powers and practice than we are, and at every hand's turn we have to run over to the Imperial Parliament to get them to sanction a change in disregard of the provisions of the British North America Act. The less we do that, the more respect the British Parliament and diplomatic circles will have for us. I hold that even under this Bill, although my wishes were not carried, and notwithstanding the eloquent plea of the leader of the Government that harangues were constantly made against certain provisions of the Bill, and that they should involve this and that, I say it would have been so easy to put in two words in the Bill which the British Parliament would have understood—no increased representation in the Senate unless with concurrent representation in the House of Commons. That principle would have gone straight to England and through the British Parliament. But of course we have to depend upon the good intentions of the Government and the good intentions of the Opposition. I hold that the less we have to do in disregarding and trying to change provisions of the British North America Act the better for Canada.

Hon. Mr. DANDURAND—I find that my suggested amendment has not met with considerable support from the hon. gentlemen who have spoken, and I shall not press it, but there is no cause for any one to be scandalized if I claim that an all-round diminution be made when an all-round condemnation be made when an all-round increase is suggested. The principle of proportionate representation underlies the British North America Act, and I draw the special attention of my hon. friend from Victoria division to clause 52, which would even allow of one departing from the fixed 65 representation from the province of Quebec if Parliament saw fit to do so, provided the proportionate representation was respected. The whole question is that of proportionate representation, and I have felt that although many senators of this Chamber do not agree that the matter should be now taken up, the time will soon

come when we shall have to reduce the representation in this Chamber, and I will have to agree to a diminution of the 24 members coming from the province of Quebec when the diminution takes place all round.

Hon. Mr. BAIRD, from the committee, reported the address as amended.

Hon. Mr. LOUGHEED moved that the report be taken into consideration to-morrow at the second session.

The motion was agreed to.

CUSTOMS TARIFF ACT (1907) AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 75), An Act to amend the Customs Tariff Act, 1907.

In the Committee.

Hon. Mr. WATSON—I thought it might be interesting for the minister to state why he applies the title of tariff for war revenue, to this Bill, because I understood the Minister of Finance stated that every dollar it was costing Canada for the war had been borrowed in England and apparently it was said that all we want to raise is the interest on the money. The hon. gentleman might explain the title.

Hon. Mr. LOUGHEED—I give greater credit to my hon. friend's intelligence than to fancy that the loan which is being obtained from England for the immediate expenses which we are now making for our troops represents the loss Canada is suffering through this war. Canada is suffering through this war in various ways, the revenue has dropped about 50 per cent. Canada is labouring under great embarrassment, through not being able to negotiate its public loans in Great Britain as she had done formerly. She has had to go to the rescue of the different large undertakings of the Dominion which are being carried out relying upon the financial assistance which this Government has given from time to time and which the Government of Canada must give for the purpose of keeping them afloat. The Financial credit of Canada has to be maintained under the most embarrassing circumstances, as my hon. friend must know, and this is certainly a war measure just as much as any direct war measure that we may pass to furnish money direct for the purpose of sending troops to England, I think my hon. friend will appreciate the conditions.

Hon. Mr. CLORAN—Is the hon. gentleman serious in that statement. He could not bring down a boot black Bill without calling it a war measure. Does he think the country is going to accept any measure they may bring down because it is called a war measure. The thing is absurd on the face of it, and the people of the country will not stand for it. Is it a war measure to pay for the extravagance of the Government in regard to its boots supply for the army? Will it be a war measure for this Parliament to pay the extravagant prices for motors, binoculars and other necessaries of the army? What does the hon leader of the Government take us to be, or what does he take the country to be to call these measures war measures thinking thereby to make then acceptable to the people? The hon. leader is too wise, and too knowing, to imagine that that can be accepted. Of course it will be passed but it will not be accepted. I protest against it and say that the people will not regard these Bills as war measures.

Hon. Mr. WATSON—I should like to say that in my opinion the war is a godsend for the hon. gentleman opposite and for the Government of the day. Everything is attributed to the war, but the hon. gentleman must know that if it were not for the contracts now being let by the allied forces, Great Britain, Russia and France, in Canada, aggregating some one hundred and twenty million dollars, that the country and the Government would be in a much worse position than they are to-day.

Hon. Mr. LOUGHEED—Yes, no doubt about that.

Hon. Mr. WATSON—But to call this a war measure simply means that the Government is taking advantage of the situation for the purpose of placing on the people of the Dominion the highest protective policy ever inaugurated in Canada, and they could not do it with any other excuse than that of a war measure. They have taken advantage of the statute for the purpose of raising the duties higher than we have ever had them in Canada, on account of the excuse of the war, and with no suggestion made that it is only temporary, that it is going to be taken off, and I suppose it will have to remain there as long as these gentlemen are in power, and that is what I object to. The people of Canada have no objection to paying the last dollar necessary for the purpose of

prosecuting the war to a successful conclusion, but they do object to the Government imposing this high rate of taxation on the people which falls most heavily on the most important industry of the country, the agricultural industry, and when we are told by the Minister of Finance that practically not a dollar of the money raised by this additional taxation is going to defray the expenses of the war. We are borrowing one hundred and fifty million from Great Britain. Last year our imports from Great Britain were about one hundred and thirty million. What are we doing? We are increasing the taxation on British goods five per cent. Five per cent on one hundred and thirty millions would amount to about six and a half millions, which would just about pay the interest to Great Britain. In other words, you are going to tax the British artisan on his goods shipped to Canada about sufficient to pay the interest on the money to carry on the war, and you are talking about loyalty and patriotism. As has been said by other hon. members, you will not get the revenue—the member from Ottawa made that statement to-day—because when you increase the taxation, the goods are not imported and you cannot get the revenue. But in every case the manufacturer in Canada who is getting the protection will tax the consumer, and for every dollar that goes into the Government ten dollars will go to the manufacturer. This is the worst legislation ever placed on the Statute books of Canada, this high rate of taxation, when everybody is crying out for less taxation. The suggestion has been made that the British preference is greater by two and a half per cent, but if you add sufficient duty against the British goods it stops importation. What benefit is it if you have taxed them out of the market entirely, and I claim you have taxed them out of the market? Time will tell what the imports will be, but I venture to say that under this taxation the minister will not get much revenue, except the direct taxes on stamps, cheques, bills of exchange, etc. —but that is another matter. So far as the customs is concerned, I venture to say there will not be as much revenue as under the old system.

Hon. Mr. DOMVILLE—My hon. friend takes exception to the word "war." What difference does it make what we call it? The Government want the money. I am not going to find fault with the Government or praise the Opposition. Both sides ran directly into debt. I moved some years ago in the House for a statement of the expenditure on the militia from the time of Confederation. The amount was large, and what have we to show for it? We have cocked hats here, right and left, and we have all these men trained.

Hon. Mr. WATSON—Honorary colonels.

Hon. Mr. DOMVILLE—Where are all these people? For the sake of argument say that we drilled 45,000 last year and the year before. How many of them have gone to the front? I do not want to take up this question. The Government is not responsible for the war, and I am satisfied it is not responsible for the graft that has taken place. They cannot be everywhere. It is not the premier's duty to go down and look at the boots that are furnished under contract.

Hon. Mr. DAVIS—They should get somebody else to do it.

Hon. Mr. DOMVILLE—They have a big staff there whose duty it is to examine everything. There is always a board to deal with such matters. One might always say there was collusion, but you cannot blame the Government for it, nor can you blame them for the war. The country was going behind. I am sorry that my hon. friend from New Brunswick is not here to take up the cudgels for himself. New Brunswick is not suffering. I do not know whether Prince Edward Island is suffering. Nova Scotia is not suffering. Where is the wrong? The wrong is that the country has been boomed too much. We have Montreal with all the bloated millionaires, and now we have a lot of them on their uppers trying to borrow money. They have to come down to hard pan, like the people who first settled the country, and live within their means, develop the country, and not ask for false protection to raise the price of articles so that they may place the money in their pockets. It is a simple thing, and has been demonstrated. Take a tumbler which cost $1 in the United States, on which there is 45 cents duty. That tumbler sells at $1.45, but if the tumbler is manufactured in Canada, where does the 45 cents go? It goes into the hands of the manufacturer. Therefore we have been building up the manufacturers of this country at the expense of the working classes. I do not hold the Government responsible. I think our own people are just as responsible.

Hon. Mr. LOUGHEED—We appreciate that.

Hon. Mr. DOMVILLE—We must have fair play. I was born an Englishman; I will die one. Take the Patricias regiment. How many Canadians are in it? In some of the regiments there are not more than 6 or 8. We hear a lot about the United Empire Loyalists. I am sick of it down in our country—the blue blood of the country, and they will not go and fight.

Hon. Mr. McSWEENEY—You have none down there.

Hon. Mr. DOMVILLE—You must approach this matter in a spirit of fair play. This question should be approached with care, and the people of the country should have faith in any Government that may hold office. But the question is what the future of Canada will be, and how we will tax Canada, and what precautions we should take to put the country in a good position.

Hon. Mr. DAVIS—The suggestion is made that this is a war measure, and it is on the orders of the day as if it were a war measure.

Hon Mr. WATSON—It is in the Bill itself.

Hon. Mr. DAVIS—It has been suggested that it is only a temporary measure. Is it the intention of the Government if Providence is good to them to continue this, or is it only a temporary measure?

Hon. Mr. LOUGHEED—No, just temporary.

Hon. Mr. DAVIS—I have an idea that the friends of the Government, the manufacturers, who are a busy lot of people, and always around looking after their own interests and not after the interests of anybody else, have managed to take advantage of the war to get the Minister of Finance to boost up protection in this country. Protection has never done any good for the people generally in this country or in any other country. We tried the National Policy for nearly 18 years and drove nearly everybody out of the country. Where one man came into the country ten left it. If you try it again you will probably get the same results. I think if the Finance Minister had been taken away where he could have breathed fresh air and been away from the smoke of the factories around Toronto and other cities, he would not have gone so far as to give this increase in taxation and then called it a war measure. It is all right to obtain money for the war and we will have to pay the interest, but this taxation is for the purpose of meeting the current demands on the treasury, I remember reading the Halifax platform. It was great and wonderfully made, but it has all gone to pieces. I wonder if the minister who was so good at shooting holes in the Union Jack would not take a shot at the Halifax platform and finish it up. We were to have Civil Service Reform, the provinces in the West were to have their lands handed over to them, and all that, but the policy has not been carried out. We were going to have a reduction of expenditures. Now we find increased expenditure, and have to enact a so called war measure to fill the treasury. But I am afraid it will fill the pockets of the manufacturers and will not fill the treasury. If the Government wish to fill the treasury they should impose an excise duty, and tax everything the manufacturers sell in this country. Let the treasury get a part of it. If you tax them 20 per cent take 18 per cent excise duty, and you will have a revenue that will be good for the country. The present proposition is simply for the benefit of the manufacturer.

The clause was adopted.

On clause 3,—"Additional duties of Customs."

Hon. Mr. BOSTOCK—What is item 329?

Hon. Mr. LOUGHEED—It simply means ores and metals of all kind. We strike out in the Act that particular item, ores and metals of all kinds, and we put in 329 and 329-a. It is more for the purpose of covering the administration of the office in determining grades and quantities of iron ores. The amount of iron has to be determined. Now we charge 6 cents a ton for that.

Hon. Mr. BOSTOCK—It is just putting a duty on the iron ore.

Hon. Mr. LOUGHEED—Yes.

The clause was adopted.

Hon. Mr. DANDURAND—I suppose we have discussed this measure simply for information because the Government would not accept any amendment to this Bill.

Hon. Mr. LOUGHEED—There might be some exception taken to the Senate amending a Revenue Bill.

Hon. Mr. DANDURAND—Because I understand some strong representations have been made from the French authorities against what they believe to be a wrong impression of the treaty between France and Canada.

Hon. Mr. LOUGHEED—That is as to sparkling wines. We have not interfered with the France treaty in any way. We have placed goods imported under the France treaty in the exceptions that is to say, the horizontal duty does not apply to goods coming in under the France treaty.

Hon. Mr. DANDURAND—But an excise is imposed upon these articles which fall under the France-Canada treaty.

Hon. Mr. LOUGHEED—No, there is this provision:

Provided, however, that the following goods shall be exempt from the foregoing provisions:
(a) goods admitted into Canada free of customs duty under the provisions of sections 8 and 9 of the Customs Tariff, 1907;
(b) goods enumerated in schedule C of the French Convention Act, 1908.

Hon. Mr. DANDURAND—Is the hon. gentleman prepared to say there have not been representations made by the French authorities against what they believe to be a violation of the treaty?

Hon. Mr. LOUGHEED—I do not understand so. I understand private parties have said the stamp duty on sparkling wines would interfere with wines coming under the French treaty, but the Government gave full consideration to that.

Hon. Mr. DANDURAND—I understood the Chamber of Commerce had drawn the attention of the Minister of Finance and the Minister of Justice to the imposition of stamps on certain wines which are not being produced in this country and which should not be affected by the excise duty, unless there were a similar article produced in Canada.

Hon. Mr. LOUGHEED—I can say to my hon. friend that the Government has given every consideration to the representation which has been made, and consider the legislation brought down does not in any way interfere with the provisions of the treaty.

Hon. Mr. MURPHY, from the committee, reported the Bill without amendment.

Hon. Mr. LOUGHEED.

SECOND READING.

Bill No. 7, An Act to supplement the revenue required to meet war expenses.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at eleven o'clock.

THE SENATE.

Tuesday, March 30, 1915.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and routine proceedings.

CONTINGENT ACCOUNTS OF THE SENATE.

Hon. Mr. POWER, from the Committee on Internal Economy and Contingent Accounts, presented their sixth report.

Hon. Mr. DAVID—Will the hon. chairman of the committee be kind enough to tell me whether the intention is to take into consideration the actual situation in regard to the translator and to show that it is dangerous to have only one man in the translator's office? Mr. Demontigny is sick and has been replaced by a young man who is considered one of the best translators in Quebec. I ask the hon. gentleman not to forget that if we place only one man in that position it will be impossible for him to do the work.

Hon. Mr. POWER—We hope that the matter referred to by the hon. gentleman will be considered by the committee to-day, and our next report will probably finish up the business. I do not understand that the public business has suffered materially up to date through the absence of the translator. The committee will take that into consideration.

The SPEAKER—The hon. gentleman should not forget that I made a recommendation to this House which was referred to the committee a week ago.

Hon. Mr. POWER—Certainly.

The SPEAKER—And I think it is due to the House that we should have a report on that recommendation before going further.

Hon. Mr. POWER—I have stated that the committee hope to meet to-day and deal with that recommendation.

Hon. Mr. CLORAN—I would ask the chairman of the committee not to rush the

matter but to have the meeting to-morrow morning. This is a voluminous report and affects the internal interests of the whole House. As far as I can gather from the report, as read by the Clerk, I think there are some fourteen or fifteen recommendations. I could only catch one or two of them. I should like to see that report in print, and we cannot have the printed report before to-morrow morning. If this motion is pressed, I shall move in amendment that the report be taken into consideration twenty-four hours after it is printed. If it appears, when the report comes up, that it has not been printed and distributed, I presume there will be no objection to postponing its consideration. It is not usual to interpose in this way in the case of a purely formal motion, and hon. gentlemen must remember that there is still some hope that we may have a prorogation this week. It is important that the House should be fully in possession of the valuable information which the hon. gentleman will be prepared to submit, and equally desirable that we should have time to dispose of this matter before prorogation.

The SPEAKER—I suggest that the hon. chairman move that the consideration of the first report be fixed for the day after to-morrow, so that we can deal with the two reports together.

Hon. Mr. POWER—With the permission of the House I move that this report be taken into consideration at the second sitting of the House to-morrow.

The motion was agreed to.

INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

1. What are the receipts from the Intercolonial railway for the eleven months ending February?
2. Also, what are the disbursements for the same time?
3. Installation of block system, St. John to Hampton, N.B., Moncton to Painsec, N.B., Windsor Junction to Halifax, N.S.; were the tenders public or private; to whom awarded, and at what price?

Hon. Mr. LOUGHEED—The answers are as follows:

1. To January 31, 1915, $9,677,547.77; February figures not yet made up.

2. To January 31, 1915, $9,760,638.11; February figures not yet made up.

3. Tenders were invited by circular letter, dated September 26, 1913, to the Federal Signal Company, New York; Union Switch and Signal Co., Montreal; General Railway Signal Company of Canada, Lachine, P.Q.; Hall Switch and Signal Company of Montreal. Tender was awarded to the Union Switch and Signal Company. Montreal, for the lump sum of $85,000.

TRUST COMPANIES.

MOTION.

Hon. Mr. BOSTOCK moved that an Order of the House do issue for:

A return giving the names of the Trust companies up to the present date who have complied with the requirements of clause 69 of the Trust Companies Act, 1914, and any correspondence connected therewith.

The motion was agreed to.

FISHERIES OVERSEERS, PAYMENTS MADE.

MOTION.

Hon. Mr. COSTIGAN moved:

That an humble address be presented to His Royal Highness the Governor General; praying that His Royal Highness will cause to be laid before the Senate, copies of all letters between the Minister of Marine and Fisheries or his department and the fishery overseer at Baker lake, in the province of New Brunswick, and also copies of all claims made by the said fishery overseer and the payments made thereon.

He said: In moving this motion I would call the attention of the hon. leader of the Government to the fact that during the session of 1913, I moved two motions, but received a reply to only one of them and that one within a few days past. I think the hon. leader will remember that about the time of adjournment, after making my motion, he said that he would have his secretary send an answer to me at Edmundston, N.B. He told me, after inquiry, that he had ordered his secretary to send the answers there, but I do not think they were received there. One motion was in regard to the fisheries overseer at Baker lake,N.B.; the other was in regard to the train service of the mails from St. John to Ottawa and Montreal. The other day I got a statement of the payments made to the overseer at Baker lake. My object in moving for the full returns to-day is to know whether the same rule prevails in the department as regards the overseers which used to prevail there in the time that Sir Charles Hibbert Tupper occupied the position of Minister of Marine and Fisheries, which was that each overseer was allowed a per diem allowance provided he could furnish his canoe, and every day he would have to swear to his diary showing

where he had been employed. I think I called the attention of the Government to the fact in my statement before, that if that system had still prevailed, the Government would have paid much less money to the overseer at Baker lake than was actually paid, because I think he was paid $250 altogether for the season. I do not complain of wrong payments from the time he was appointed, but I do complain of the facts that the certificate was signed by the inspector of fisheries of the province, who lives, somewhere below Fredericton—Mr. Harrison by name— who, to my knowledge, was not qualified to sign any certificate for the overseer; and if the overseer had been required to swear to his accounts I am sure that he would not have sworn to the statements certified by the inspector of fisheries already named.

Hon. Mr. LOUGHEED—I appreciate the remarks made by the hon. gentleman who has just spoken, and beg to assure him that everything that could be done has been done with a view to obtaining the return. The returns of which my hon. friend speaks were furnished by the Marine and Fisheries Department, and I am informed by my secretary that on three different occasions they were either handed to or sent to my hon. friend. My hon. friend can very well understand that in the multiplicity of inquiries and motions for returns made in the Senate, it is very difficult during a session of Parliament to secure all the information that the hon. gentleman may wish. It is my desire, however, that such should be done, and if any oversight occurs with reference to any of these inquiries or papers to be brought down, I shall certainly welcome any reminder that may be addressed to me, either privately or on the floor of the House. I shall make inquiries in accordance with my hon. friend's wishes.

The motion was agreed to.

CUSTOMS TARIFF (1907) ACT AMENDMENT B.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 75, "An Act to amend The Customs Tariff, 1907.

Hon. Mr. POWER—I thought some further discussion would take place on this motion and I must confess I am not prepared to speak now. I suppose the hon. leader of the Government would not think it advisable to postpone the third reading to another day so that I might be ready?

Hon. Mr. LOUGHEED—If I thought my hon. friend was really serious in desiring to make a speech on this measure, I should be glad to comply with his wishes.

Hon. Mr. POWER—There are many things to be done and I am not desirous of making a speech. I have been doing that for many years now and I do not feel keen about it, but there are two or three observations that I think should be made, which suggest themselves at once. The hon. leader of the Government yesterday assumed an air of virtuous indignation and held up his hands in holy horror, so to say, at the atrocious conduct of the Liberal Administration, which had preceded the present virtuous Government, for their gross extravagance, and blamed them for placing upon the shoulders of the present Government and of the people of this country a burden that was quite intolerable, and he read from a rather ancient authority a statement showing how the expenditure in various departments had increased up to 1909, I think. The hon. gentleman did not carry the comparison any further. It will be remembered that in 1909 this country was at the top of the wave of prosperity. Business was flourishing in all parts of the country, the revenue, in fact, was too great, and everything was couleur de rose, and the hon. gentleman stopped there. If he had been filled not with a desire to reflect on the predecessors of his Government, but with a desire to inform the country, he would have continued the comparison. He would have brought it down to date. I am not going into this question at any length, but in order to show how much sincerity there is in the protestations of the hon. gentleman and his condemnation of the predecessors of the present Government, I shall carry the comparisons a little further. I start with 1911-12; that is the last year for which the late Government were responsible, and I go on to 1913-14, and then take the Estimates for 1915-16. Civil government in 1911-12, cost $4,774,678; that was too much no doubt, but in 1913-14 these economical gentlemen, who complain of the extravagance of their predecessors, had a bill of $5,607,794; that is practically a million dollars more, and the Estimates for the present financial year are over seven million. That is two million and a quarter more than the extravagant Liberal Administration spent in their last and biggest year. Then take the item of fisheries. In 1911-12 the country expended in connection

with the fisheries $843,856. In 1913-14, $1,222,519. The Estimates for next year are $1,561,400. That is double what the previous extravagant Government had expended. Mines and geological survey, 1911-12, $262,-718; 1913-14, $470,506. The Estimates for the current year are $547,275, again more than double the amount spent in the last year of the late Administration. Immigration, 1911-12, $1,364,999; 1913-14, $1,893,291. For this year the amount is $1,875,000. Here you have an increase of half a million dollars in the annual expenditure for immigration when, as a matter of fact, there are no immigrants coming in, or almost none. The present capable and economical Administration are spending half a million more than the late Government spent to bring immigrants into this country; they are not bringing them in; they are not coming. Really the hon. gentleman might have reserved a little of his pious indignation for his own friends and colleagues. Then take the Indians. What do we find about the cost of administering Indian affairs? We have no more Indians in the country now than we had three or four years ago. The Indian population is not increasing, but while the Indian population is not increasing I notice there is a very respectable increase in the expenditure on account of these Indians. Like the immigrants, the fewer Indians you have the more they cost. In 1911-12 there was expended on Indians nominally $1,756,565. In 1913-14, $2,182,470. 1915-16, $2,254,928. So that while the Indians have diminished in number, the expenditure has increased by half a million. There is nothing small about these gentlemen. It is not an increase of fifty or a hundred thousand dollars; they deal in nothing less than half a million dollars. One would think that on a small item like Indians they might have been contented with a smaller increase. Now the next department is perhaps the champion department, and it is the department where there was room to economize, a department where the work was under the control of the Government—the Public Works Department. In 1911-12 the cost was $10,344,000; in 1913-14, $19,000,007. Then in 1915-16—this is when the present economical Administration had got firm in the saddle and knew what they were doing—the estimated expenditure is $22,351,000, whereas the extravagant Liberal Government had only expended $10,344,000. There we find an increase of more than 100 per cent since the present Government came into power. I begin to feel a good deal of sympathy for the people who have to foot those bills. Then take customs, 1911-12, $2,443,846; 1913-14, $3,849,983. Estimates for the next year $4,215,000. That is nearly two million more than the expenditure for 1911-12.

Hon. Mr. CLORAN—And less goods coming in.

Hon. Mr. POWER—Yes, less revenue and fewer goods coming in. Dominion lands; one would think that there was not much room for a great increase there; in 1911-12 the expenditure was $2,277,099; in 1913-14, $2,286,480. Estimates for the current year, $3,475,000. That is nearly a million and a quarter more for the current year than for the last year of the late Administration. Then post office, 1911-12, $9,172,035; 1913-14, $12,822,058; for the current year $16,177,355. That is an increase of seven and a half millions in a short period of five years. I do not think I had better go into the details of these things, but I just quote these figures to show how unfair the hon. gentleman is. I am quite satisfied if the hon. gentleman were making a statement before any large corporation in which he might be interested as a director or otherwise, that he would not make such a statement as that. He would carry his comparison up to date, and I have no doubt if the hon. gentleman were to do what he really feels like doing, he would have given the House an honest statement. I think it well to say a word or two with respect to the tariff. It must be borne in mind that there is a considerable amount of unemployment and distress in this country at the present time. Canada is like most other countries in that respect. Here are a number of people who can hardly make the two ends meet. Take out a very small section of our population, and all the remainder of our people find it hard enough to keep the wolf from the door. What course would naturally be pursued in a case of this sort by a Minister of Finance having to find a much larger revenue than he should be called upon to raise? The first thing I think would be to curtail expenses. That has apparently never occurred to the hon. gentleman opposite. The hon. gentleman can shed tears over the extravagance of his predecessors, but he refuses to refrain from making the expenditures immensely greater than they have ever been made. I am satisfied the hon. gentleman is a good business man, and he would not in any private business he was concerned in follow

the course that was adopted by this Government. He would not have increased the expenditure and refrained from curtailing expenses. The first duty of the Government when they found the ship of state was in rather a bad way would have been to take in sail. Instead of that, apparently the worse the weather got the more canvas they spread, and I am afraid the ultimate result may be shipwreck. The first thing the Government should have done was to have taken in sail. Then they should have made such changes in the tariff as would be calculated to bring in revenue without unduly oppressing the consumers. What did they do? For instance, take an article like tea. There are a great many millions of pounds of tea consumed in this country, and all the revenue from the small duty on tea would go into the treasury. It is a remarkable fact with respect to a small duty on tea that it is one of the duties which does not seem to materially increase the price of the article to the consumers. You could put a duty of five cents a pound on tea and probably get in about two million dollars, and it would not materially increase the price of tea to the consumers; and, further, tea is not an absolute necessity of life, any more than beer. But take the things which are absolute necessities of life. Take woollen clothing, which we import from England. I called the attention of the House last year to the fact that the lowest duty at which you could import British woollen clothing was 30 per cent, and of course in a country like this, with a climate such as we have, woollen clothing is an absolute necessity of life, nearly as much so as food. Now, this Government, who are filled with love for Britain and loyalty to the Empire, and all that, what do they do? In the first place they go directly against the interest of the consumers of this country, nearly the whole population, by increasing the duty on those British goods from 30 to 35 per cent; and they seem to feel that they have done the right thing. But what do the people of England think about this? The people of England have advanced this Government 150 millions of dollars. The Government of England, which represents the people of England, are expending large sums in this country for munitions of war and other purposes. Yet the Government practically say: "In return for all that they have done for us we will increase very considerably the duty on the articles which they sell to us, and in that way we will, to a certain extent, close our market against their British products and cut down any little profit that they may have." This conduct of the Government—protesting their extreme loyalty to the Empire and their desire to do everything they can to help the Empire, while at the same time doing their best apparently to shut out the goods coming from the Empire—reminds me of a quotation of which hon. gentleman who was for some years my junior colleague in this House from Halifax was very fond of quoting:

> **Perhaps it was well to dissemble your love,**
> **But why did you kick me downstairs?**

I could imagine the average Englishman addressing the Government of Canada in that way—It was very well to dissemble their love, but they should not kick the Old Country downstairs in that way. I was not prepared to say anything, but it occurred to me that it was just as well to express these thoughts which came to my mind. There are a good many others that have occurred to me, but I think, perhaps for the present, this will do.

Hon. Mr. DANDURAND—Might I be allowed to add one remark to this short debate which has taken place on the Customs Bill which is now before us? It would bear on the affirmation made by my hon. friend the leader of the Government, that the idea of the tariff containing favourable treatment, in the way of reduction of duty on British goods, was not of Liberal invention, but rather bore the previous mark of Conservative statesmanship. My hon. friend did state that the preferential clause applying to British goods had been suggested in a previous Parliament by a Conservative member of Parliament. Now, there is no question that preferential treatment to Great Britain's productions had often been talked about by the Conservative party in the House, but I am convinced that I will not be contradicted, either by my hon. friend who leads this House or by the hon. gentleman from Hastings, when I make the affirmation that the policy of the Conservative party up to 1896 on this question was to claim quid pro quo—reciprocal preferential treatment. That was what Sir Charles Tupper, at all events, speaking for the Conservative party, asked and submitted and claimed from the Parliament of Great Britain. Now I have not heard that the Conservative party up

to date was ever ready to give a preferential treatment in our own market to British goods without a bargain, without a quid pro quo. Of course this demand could be made by a party which has, happily, in its opponents no one who will think of accusing half of his country of being less loyal than itself; but it seems to me, all the same, quite a humorous situation to find the Liberal party— which has always been supposed to be, according to statements we have heard and writings we have seen, less loyal to the British Crown than the Conservative party—giving Great Britain a preferential treatment without asking anything in return.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has forgotten the history of the country. Does he forget that his late leader, and the present leader of the Opposition in the Commons, announced his policy in the city of London when in opposition, by saying that if they were returned to power they would make an offer at once to the Imperial Government for reciprocal trade? He went further and said: "What would result from the fact of getting a preference of ten cents a bushel on grain, on the production of the great West, if you could get your productions into England with that protection." That was the doctrine laid down by his own leader when in opposition; but like many other professions of opinion and declarations of policy made when in opposition, they forgot all about it, and it is quite evident that my hon. friend has also forgotten. In regard to his reference to me, I confess frankly that I never was opposed to the preferential treatment that was given to Great Britain. I stated on the floor of the Senate when this question was being discussed by the then leader, Mr. Mills, that I was in favour of it, but being a protectionist in principle, I desired that the duties on the other foreign goods should be sufficient to protect the interests of this country. I know my hon. friend from Rideau (Hon. Mr. Edwards) laughs at that idea. I know what an ardent free trader he is, and I know from my experience with the hon. gentleman that he is perfectly honest in that; all I ask from him and others is to give me credit for the same honesty of opinion. Having learned these things to a certain degree from reading many years ago the editorials of Horace Greely in the New York Tribune, which used to come to my office, I formed my opinion as a boy upon the question of trade, and I confess I have not changed them since, but as I grow in years I am still more firmly convinced of the correctness of that policy. But I think my hon. friend scarcely put the question fairly when he attributed certain remarks to the leader of the Government in this House. His statement, if my memory serves me right, was this, that when the first resolution offering preferential trade to England was introduced by Mr. Fielding, it did not contain the preference to England alone.

Hon. Mr. DANIEL—Hear, hear.

Hon. Sir MACKENZIE BOWELL—But that it was extended to all countries which would adopt the same policy that he laid down in his tariff. In other words, if they could come down to a certain ratio of duty they should have the advantage. It was pointed out to them at the time, not only in the House of Commons, but in the Senate, that the resolution never could be accepted by the Imperial Government, for the reason that the favoured nations' clauses in their treaties with foreign countries would interfere with it, and so it turned out, although the leader of the Government at that time in the House ridiculed the idea. When the question was brought before the Imperial authorities they pointed out that it would be a violation of the favoured nations' clauses of those treaties, and it was not until the abrogation of the treaties with Germany, Belgium and other countries that Canada was able to carry out that policy. I do not propose to enter into the question of tariff just now, although I should like very much to discuss the points raised by several of my hon. friends. I was very much amused by the remarks of my hon. friend from Halifax (Hon. Mr. Power). He complained of the increase of duties upon the articles that the general community consume, and yet with his next breath he advocated a duty upon an article which every person consumes, that is, tea. I only point that out to show his inconsistency. I agree with him on that point; I think tea is a legitimate article for taxation.

Hon. Mr. WATSON—Hear, hear.

Hon. Sir MACKENZIE BOWELL—Tea goes into general consumption by every one, and a tax upon it would be revenue producing. Free trade England puts a heavy duty upon it, and there is scarcely a country in the world which levies duties that does not impose a heavy duty upon tea, coffee, and other articles that are universally required

and generally consumed. These are articles on which taxation can be levied at any time for revenue purposes, and repealed without interfering with or disturbing any industry in the country. After the Conservatives came into power in 1878 there was a buoyant revenue, and one of the first things they did was to remove the duty on tea. It did not affect any industry, and it was an article that went into consumption by every one. They also reduced newspaper postage. and many other things that did not interfere with the general industries of the country, as the revenue was adequate without it. There are many other things connected with this tariff with which I could find fault and which I could approve. We all have our individual opinions upon the question of levying taxes. Ontario imposes a direct tax of one mill on every dollar of land values. The province of Quebec, if I understand their policy, have gone further, and impose a direct tax of one mill on the dollar upon all assessable property, no matter what it may be, whether income or real estate. I approve of the Ontario system, because it would be less burdensome upon men who have small incomes and are assessed for personal property. However, I am leading myself off a long distance beyond where I intended to go. My intention when I rose was simply to call attention to the remarks made by my hon. friend, who has evidently forgotten what the professed policy of his party was when they were desiring to obtain power.

Hon. Mr. DANDURAND—I was simply pointing out the difference between the policy of the Liberal Government, which gave a preference to England without asking reciprocity, while up to 1896 the professed policy of the Conservative party was to make a dicker with Britain.

Hon. Sir MACKENZIE BOWELL—They wish to do it now.

Hon. Mr. POWER—I hope the House will permit me to say a word on this question from the historical point of view. The hon. gentleman from Hastings, and other hon. gentlemen who are pretty well on in years here, will probably remember—

Hon. Sir MACKENZIE BOWELL—Do not refer to that, because we are all young men.

Hon. Mr. POWER—Well, I remember, at any rate, whether the hon. gentleman is too young to have seen the thing or heard it. The first time that a practicable scheme for a British preference was submitted to Parliament was during the Parliament that lasted, I think, from 1891 to 1896, and it was an amendment introduced by an hon. gentleman from Prince Edward Island, now Sir Louis Davies. He introduced a resolution advocating, in clear-cut language, a preference to British goods. It was an amendment to a rather vague motion that had been made on the other side of the House. Although Sir Louis Davies has now passed away from the political stage, still I think it only right that credit for the introduction of that system should be given where it belongs.

The motion was agreed to, and the Bill was read the third time and passed.

SEED GRAIN AND FODDER RELIEF BILL.

Second Reading.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 85, an Act respecting Seed Grain and Fodder Relief.

He said: This is a Bill to give authority to the Governor in Council to make such provision for the purchase, sale and distribution, during the year 1915, among farmers and settlers in the provinces of Alberta and Saskatchewan as will meet the requirements in those provinces for seed grain, fodder for their animals, and other relief. Unfortunately, during the summer and autumn of 1914 the settlers in the southerly parts of the provinces of Saskatchewan and Alberta sustained a very serious crop failure, the result of which was that there was widespread distress and destitution in those sections of the two provinces. It became at once necessary for the Government to intervene and to render them that assistance which would at least ameliorate the unfortunate conditions to which they had been subjected. Consequently, the Government assumed the responsibility of furnishing relief to those settlers, and furthermore found that it would be absolutely necessary that seed grain should be furnished, not only for the section of the two provinces to which I have referred, but for other sections of the same provinces. Not only was it necessary for that purpose, but it further was desirable for other purposes, namely that the farmers and settlers of those provinces should be in no way handicapped in their farming operations during the present year. I need not say to hon. gentlemen that there was a widespread feeling that there should be a determined effort made, in view of the calamitous war now existing, for an in-

creased production in the Northwest to meet the food requirements of Europe. That movement found expression in all parts of the West and through all parties who were interested in the West. The farmers represented by the Grain Growers' Association of the West, and the manufacturers of Canada, came together in conference and discussed ways and means, by which some special effort might be made on the part of the settlers, to cultivate an increased area of their lands, to adopt more advanced farming methods, and in a word to produce an increased crop in comparison with other years. Now, unfortunately, to meet that situation it became necessary for the Government to come to the relief of those settlers. I think hon. gentlemen will agree with me when I say that in view of the unfortunate conditions which had arisen, and in view of the requirements which present themselves to-day, it is for Canada to meet the food situation of the Empire, so far as we can possibly contribute thereto. I would add that the Governments of Alberta and Saskatchewan have entered into an agreement with this Government whereby legislation will be passed giving the Dominion Government a first lien upon the patented lands in these provinces for such advances of seed grain and relief as may be made by the Government. As to unpatented lands, legislation will be unnecessary before the issuance of patents, inasmuch as the Government has control of those lands. Some criticism has been made by the loan companies of the Dominion, that this legislation is unwise, that it should not be passed, inasmuch as it gives a priority to the Government over first mortgages and first charges already registered upon those lands; but this is not the introduction of any new principle. That principle is already recognized in our statutes, and by recent and former legislation which we have passed upon the same subject. In 1908 the Government of that day came to the relief of the settlers in the furnishing of seed grain, and legislation involving a similar principle was adopted by the provinces, in Saskatchewan in one way and in Alberta in another, but the general principle was the same. I have already alluded to the fact that we have recognized this principle in other departments of legislation; for instance, the provinces, which have jurisdiction in such matters, legislate as to liens upon property whereby if improvements are made upon mortgaged lands by the furnishers of supplies, or by builders, as the case may be, a lien is given even as against a first mortgage to the extent of the improvement which has been made upon the mortgaged property. It manifestly will be in the interest of mortgage holders that this seed grain should be furnished to the farmers of the West. There is nothing more calculated to depreciate the value of farm property than to have it uncultivated, and this must necessarily ensue from the inability of a great number of the farmers of the West to secure seed grain except some such assistance be given them as is proposed by this Bill. Consequently I think it will not be controverted that the security of first mortgages will be enhanced rather than depreciated, notwithstanding the interposition of the Government in taking a first lien for such advances as they make. With these few remarks I move the second reading of the Bill.

Hon. Mr. BOSTOCK—I think that we should all agree that the Government in this matter is right in doing all that they can to assist the farmers throughout the country to increase their production as much they possibly can this year. I am glad to see that the Government is recognizing that the farmers are very largely the backbone of the country, and that it is only right that everything should be done to help them to develop the country. Yesterday I pointed out that the policy of the Government with regard to the Tariff Bill was rather along the lines of restricting production, but to-day the Government are certainly trying to do what they can to help the farmers who are subject to a condition of things which, especially exists in the West, and is very much to be regretted. I should like to point out to my hon. friend that in this Bill there no time limit with regard to this question. The other day in discussing Bill No. 78 on the Bank Act a time limit was fixed, and it was enacted that no money should be loaned to the farmers to enable them to purchase this seed grain after the 1st of August. It may be possible that the Government have considered that it was not necessary to place a time limit in this Bill, and also that there was considerable difficulty in dealing with the question in that way. The remarks of the hon. leader of the Government, as I understood them, were almost entirely confined to the question of seed grain, and he did not tell us what was to be done about the grain that was required to feed the farmer's

stock. The question was raised in another place as to the amount of feed that was to be given to each farmer in order to enable him to keep his stock in fit condition to do work to the best advantage. Possibly when we get into committee the leader of the Government will be able to give us a more detailed statement as to how this is to be carried out, and to what extent the fodder supply to the farmer is to be given. On this question of liens, I presume the Government have adopted the proper course to protect themselves in a matter of this kind, but we may find that the farmers will be placed in a position where they will have to look to the Government to help them in the matter of grain. The Government will have a first lien on the land, and the banks will have an unregistered lien on the crop; therefore the farmer will not be able, if I understand the situation rightly, to go to any one else in order to get financial assistance, should he be in a position of requiring money in any shape or form to help in regard to the rest of his business. I presume that this matter has been carefully considered by the Government, and that they have concluded that it is the only way they can deal with it, but I think that the position I have pointed out is what will be the result of this legislation.

Hon. Mr. DAVID—Will the hon. leader of the House allow me to put a question to him? The first clause says:

> The Governor in Council should have power to provide for the purchase, sale, and distribution during the year 1915 among such farmers and settlers in the said provinces of Alberta and Saskatchewan as apply for the same.

Does that apply only to those who are actual farmers and settlers, or to those who would have the intention of being farmers and settlers?

Hon. Mr. LOUGHEED—They must be farmers or settlers; they must have land, must be settled on land.

Hon. Mr. DAVID—Although I intend to treat that question to-morrow when I move my motion, may I ask the hon. leader of the House whether the Government has considered the question of adding to the list those who intend to become settlers in any part of the country, not only Alberta and Saskatchewan, but other provinces, and especially on Government land?

Hon. Mr. BELCOURT—What are the means in the two provinces by which these liens are registered?

Hon. Mr. LOUGHEED—They will be registered in the Land Titles offices in the respective districts in which the lands lie.

Hon. Mr. BELCOURT—But what is the document by which this is done in the two provinces?

Hon. Mr. LOUGHEED—If my hon. friend will look at schedule 2 of the Bill on page 3 he will find that each Provincial Government undertakes to protect and legalize the loans for seed grain.

Hon. Mr. BELCOURT—In the same way that it is done in the provinces?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BELCOURT—But what is the means adopted?

Hon. Mr. LOUGHEED—There will be an entry made against the lands upon which the seed grain has been advanced, as to the amount of seed grain and as to the charge in favour of the Government by reason of the advances for seed.

Hon. Mr. BELCOURT—What I want to know is what is the means in force now in the province.

Hon. Mr. LOUGHEED—There is a law to be passed.

Hon. Mr. BELCOURT—But the Government will undertake to legalize these loans in the same way as is done in the province. I was curious to know how that is done.

Hon. Mr. LOUGHEED—It will be done in this way; in 1908 the provinces placed legislation upon their statute books making provision for the registration of loans for seed grain. In that year Alberta borrowed from the Dominion Government, for the purchase of seed grain, a specific amount bearing interest at five per cent, and that province then placed upon its statute books legislation giving to the province a first lien for such seed grain as was furnished by the province to the different farmers. So that I presume the legislation that will be adopted at the present session of those two legislatures will be somewhat upon the same lines as the legislation passed in 1908.

Hon. Mr. WATSON—It would be well to get some information as to the quantity of seed grain likely to be required, because outside of the seed grain and fodder relief has been given in other ways referred to here.

Hon. Mr. LOUGHEED—I will get the information for my hon. friend, but I understand the maximum quantity to each settler is 400 bushels.

Hon. Mr. WATSON—But there is relief in addition to that.

Hon. Mr. LOUGHEED—I am unaware of any limitation being placed upon the relief. It would have to be governed absolutely by the local conditions which would present themselves.

Hon. Mr. WATSON—I mean the quantity that has been given up to date.

Hon. Mr. LOUGHEED—Approximately three million dollars has been expended.

The motion was agreed to, and the Bill was read the second time.

JUDGES' ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 93, An Act to amend the Judges' Act.

He said: This Bill proposes an amendment to the Judges' Act. It is made in pursuance of a request by the Government of Alberta that provision should be made for the appointment of three additional district judges; also by the province of British Columbia that like provision should be made for one judge in the Cariboo district. As hon. gentlemen know, the Dominion Government carries out the behests of the Provincial Government as to the appointment of judges, the Federal Government of course making nominations under whatever legislation is passed from time to time by the provinces to meet their judicial necessities.

The motion was agreed to, and the Bill was read the second time.

WAR EXPENDITURES BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 76, An Act to supplement the revenue required to meet war expenditures.

(In the Committee.)

Hon. Mr. LOUGHEED—This is a special war revenue measure. It is proposed to impose taxes upon certain institutions. For instance in the case of banks, upon the average amount of notes in circulation there will be imposed a tax equal to one-fourth of one per cent upon the average note circulation of the bank. It is also proposed to tax trust and loan companies upon the gross amount of income. That tax will represent one per cent upon the gross amount of interest, the property of the company, from loans and investments in Canada, and income, other than interest on business transacted in Canada. It is also proposed to place a tax on certain insurance companies other than life upon net premiums of one per cent, likewise a tax on cable and telegraph companies equal to one cent upon each despatch or message other than trust despatches or messages originating at each of such companies' respective offices in Canada, and transmitted over the companies' lines. It applies to railway and vessel tickets, and other taxes for which provision is made in the Bill.

Hon. Mr. BOSTOCK—I notice this Bill is designated as a special War Revenue Bill, but my hon. friend has not said that the taxes will be taken off when we come to the end of the war. I do not see anything in the Bill which provides for that. Possibly by the time when the war is over the Government may consider that this system of taxation is so much preferable to the system that they advocated yesterday in the Tariff Bill, they may think it better for the country than the other system. It is, of course, a great advantage in that the Government know that all the taxes go to the Government, that the people do not have to pay indirectly a tax which does not go into the hands of the Government. I think that hon. gentlemen of this House might not agree with the idea that increased postage is a good tax even in the case of war. It is making it rather more difficult for people, who possibly have not any too much of this world's goods, to keep up correspondence, and is reverting to a system that we hoped we had done away with years ago. I remember the time when in this country the rate of interest was reduced, and the people then thought as I think, that it was a great advantage to them. I want to bring to the attention of the hon. leader of the Government another point that was raised in the other House and possibly he may be able later on to give us some information about it. It was pointed out to me that the question was asked of the Minister of Finance in the other House if the tax on receipts would apply to co-operative societies in Quebec and Ontario. It is pointed out that these societies represent a large number of

people and they have tried for several years now to obtain from the Dominion Government the right of being recognized by legislation from this Parliament but although they have made several attempts to get this legislation they have so far not succeeded in obtaining it, and they think it is rather a hardship—not that they are unwilling to pay the tax, but that they should be brought under the same condition as the banks and trust companies and other companies that are handling money, which have received legislation from this Parliament.

Hon. Sir MACKENZIE BOWELL—What do these co-operative societies require in their legislation?

Hon. Mr. BOSTOCK—They want to get a special Bill.

Hon. Sir MACKENZIE BOWELL—For what?

Hon. Mr. BOSTOCK— For the purpose of giving them proper organization and recognition.

Hon. Mr. LOUGHEED—If they are not an insurance company or not a bank they would not come under the Act.

Hon. Sir MACKENZIE BOWELL—They are all operating under special Acts of Parliament.

Hon. Mr. BOSTOCK—As I understand the situation at the present time, they are really not under any legislation.

Hon. Sir MACKENZIE BOWELL—They ought to be.

Hon. Mr. BOSTOCK—They might almost be said to be doing a legitimate business in the eyes of the law, but they are doing a business which is very beneficial to the people of the country, and the people very much appreciate the figures given showing the way their business is growing, and these people feel it is rather a hardship on them that they should be placed in that position.

Hon. Mr. LOUGHEED—When we come to subsection 2 of section 5, which deals with that class of companies, we can discuss the scope of the position.

Hon. Mr. BOSTOCK—I also think it would be interesting if the leader of the Government would give us an estimate of the amount of money the Government will be able to raise under this Bill.

Hon. Mr. LOUGHEED—About eight million dollars. That is simply an estimate.

On On clause 5, subclause 2:

2. Every company, other than a life insurance company, a company transacting marine insurance, a fraternal benefit society and a purely mutual company licensed or registered or otherwise authorized to transact in Canada or in any province thereof, the business of insurance shall pay to the minister for the Consolidated Revenue Fund a tax of one per cent upon the net premiums received by it in Canada on and after the first day of January, one thousand nine hundred and fifteen.

Hon. Mr. BOSTOCK—Will that tax on net premium in certain insurance companies have any effect upon the premiums charged to the insured?

Hon. Mr. LOUGHEED—Other than life insurance. It does not apply to life insurance.

The subclause was adopted.

Hon. Mr. BOSTOCK—Can the hon. leader of the Government say why the first part of the Act is left open as to the date when it comes into effect? I presume it does not come into effect until the Bill is sanctioned, but in the second part it states that it shall come into effect on the 15th April, 1915. Is there any reason why part of the Bill should come into force at a different date from the other part?

Hon. Mr. LOUGHEED—The first part would at once come into operation, the Royal assent being given, and the other of course would be postponed until the date mentioned.

Hon. Mr. BOSTOCK—I do not quite see what the object of that provision is.

Hon. Mr. LOUGHEED—The first part can be made immediately enforceable, whereas with regard to the other parts an elaborate system had to be adopted for the purpose of carrying it into effect. For instance, stamps have to be engraved. My hon. friend will see in part two, with which we are now about to proceed, that we are dealing with companies over which the Government has not excercised the same control that they have over the insurance companies.

The clause was adopted.

On clause 9—railway and other tickets:

Hon. Sir MACKENZIE BOWELL—Could the hon. minister tell us why people travelling on passes should not pay the war tax as well as anybody else? I see no reason why hon. gentlemen like ourselves, who have passes under the law, should not be charged this war tax as well as parties who

purchase tickets. If we had power to amend the measure I would move an amendment to that effect, but not having the power all I can do is to call attention to it.

Hon. Mr. POWER—The hon. gentleman has done his duty.

Hon. Sir MACKENZIE BOWELL—Before going to the train, holders of passes could go to the ticket office and pay their five or ten cents.

Hon. Mr. DERBYSHIRE—Let the hon. gentleman from Belleville try it for a year and then report to us.

On clause 12—stamp duties on cheques and certain other instruments.

Hon. Mr. BOSTOCK—Would this clause cover co-operative societies?

Hon. Mr. LOUGHEED—This clause refers to banks. It must be a oank under the Bank Act, and those societies would not come under that designation.

Hon. Mr. BOSTOCK—They would come under the expression "Any other body corporate."

Hon. Mr. LOUGHEED—Are they bodies corporate?

Hon. Mr. BOSTOCK—It might come under No. 4, perhaps.

Hon. Mr. LOUGHEED—If the company acts as a private banker, it certainly would be subject to the tax.

Hon. Mr. BEIQUE—They would not exist unless they were corporate bodies.

Hon. Mr. BOSTOCK—They cannot get legislation.

Hon. Mr. BEIQUE—They are bodies corporate by virtue of some private Act, but I do not think they would fall under subsection 3 or 4 of section 12, because they do not receive money which is repayable by cheques. It only refers to money deposited by corporations which carry on a banking business.

The clause was adopted.

On subclause 7:

7. Every person who issues a cheque payable at or by a bank to which there is not affixed an adhesive stamp or on which there is not impressed by means of a die a stamp of the value of two cents shall be liable to a penalty not exceeding fifty dollars.

Hon. Mr. BOSTOCK—Can the hon. leader of the Government tell us whether we will require to put two stamps on letters or post cards?

Hon. Mr. LOUGHEED—Two separate stamps.

The clause was adopted.

On subclause 9:

9. Every person who signs a receipt for money paid to him by a bank chargeable against a deposit of money in the bank to his credit to which there is not affixed an adhesive stamp or on which there is not impressed by means of a die a stamp of the value of two cents shall be liable to a penalty not exceeding fifty dollars.

Hon. Mr. DANDURAND—I do not see any stamp on cheques deposited in post offices. Is it the intention to levy a tax on cheques made against those deposits?

Hon. Mr. LOUGHEED—By subclause 4 of clause 13 it is provided that a postage stamp shall be affixed to a postal note.

Hon. Mr. DANDURAND—I am speaking of the post office savings bank.

Hon. Mr. LOUGHEED—No, apparently not.

The CHAIRMAN—There is no cheque issued in that case. It is simply a requisition.

Hon. Mr. BOSTOCK—There would be a stamp on the receipt.

Hon. Mr. BOYER—With regard to the stamp, could any stamp be used, provided it was a Canadian stamp?

Hon. Mr. LOUGHEED—I understand so, but there will be a war stamp prepared in addition.

Hon. Mr. BOYER—Shall we have to carry two different stamps, a postage stamp and a war stamp?

Hon. Mr. LOUGHEED—The postage stamp may be used in some cases, but we will have in any event a stamp to distinguish between the ordinary postage rates and the war duties which have been imposed.

Hon. Mr. LANDRY (Speaker)—Supposing I write a letter and place a two-cent stamp on the letter, and there is a war stamp in addition, I could put three one-cent stamps on the letter instead of a two-cent stamp and a war stamp.

Hon. Mr. LOUGHEED—That is what I understand.

Hon. Mr. BOYER—The ordinary English stamp bears the words, "postal and inland revenue." It is used for postage or for any of the purposes set out in this Act. Sup-

posing you are out in the country and want to get a cheque and you do not happen to have a war stamp, what is going to happen?

Hon. Mr. LOUGHEED—An ordinary stamp will do. This has not been framed in a cast-iron way. Regulations will have to be promulgated by postal authorities as to how it may be best enforced.

The clause was adopted.

Hon. Mr. CHOQUETTE—Is it understood that all these war taxes will be used for war expenses or will they go into the general fund of the Government, and be used for other purposes.

Hon. Mr. LOUGHEED—As I understand, the returns will be kept separate. Just as to what war purposes may mean I am not prepared to say. It is a very general expression. The object is that this additional revenue should be raised to meet the extraordinary expenses which have been created owing to the war conditions.

Hon. Mr. CHOQUETTE—It is very important that the country should know if this great amount of special taxation imposed to-day by this Government on the country will be used solely for the war, or is to be used also for election funds?

Hon. Mr. LOUGHEED—I do not think we will use it for election funds. We will look to some other source for that.

Hon. Mr. CHOQUETTE—I ask the leader of the Government because the Government is borrowing money for the war, and it is important for us to know.

Hon. Mr. LOUGHEED—I will give my hon. friend the most satisfactory assurance that it will not be applied for election purposes.

Hon. Mr. WATSON—The Finance Minister expected to raise eight millions by this tax, and I have no doubt at all he can figure on that pretty accurately, because it is a direct tax. You get the money. The total money provided for the war amounted to one hundred and fifty million, and this amount will more than pay the total interest on that. Why not drop the Bill providing for an increase of 7½ per cent on the tariff?

Hon. Mr. LOUGHEED—When the war is over we will consider that.

Hon. Mr. BEIQUE—It is usual in all Acts designed to raise a revenue to state whether it shall form a part of the consolidated revenue of Canada, or a special fund.

Hon. Mr. LOUGHEED—I cannot say as to how it will be credited in Consolidated Revenue Account.

Hon. Mr. BEIQUE—Should there be some provision as to what fund it will form part of? I am speaking subject to correction, because I have not looked into the point, but I understand it is the practice to state that it shall form part of some fund.

Hon. Mr. LOUGHEED—The hon. gentleman will find a reference to that in the beginning of section 3 of the Bill.

Hon. Mr. TAYLOR, from the Committee, reported the Bill without amendment.

The Senate adjourned until three o'clock this afternoon.

Second Sitting.

The SPEAKER took the Chair at Three o'clock, p.m.

Routine proceedings.

FIRST, SECOND AND THIRD READINGS.

Bill (D-1), An Act for the relief of Edith Marguerita Lyons.—Hon. Mr. Taylor.

Bill (E-1), An Act for the relief of Charles Isaac Alexander.—Hon. Mr. Derbyshire.

SENATORIAL INCREASE.

PRIVILEGE.

Hon. Mr. BOSTOCK—Before proceeding with the Orders of the Day I want to call the attention of the House to a statement that appeared in the morning Citizen today. In a prominent position in the second column of the paper there appears this notice:

> Refused increase in senatorship. Liberals would wait until after election.

And then the paragraph reads:

> In the Senate yesterday, on the Government's proposal to increase the Senate membership to 104 by bringing the western group to 24 members, Senator Bostock, Opposition leader, offered the same amendment as last year—that the increase in membership is not to take place till after the next general election, or at the same time that the Commons redistribution comes into effect. The amendment was carried by 27 to 16.

What I want to point out to the House is that this report is absolutely wrong. Hon. gentlemen on this side of the House who voted in favour of that amendment

did not refuse the increase in the membership of the Senate, neither did they suggest in that amendment that the matter should be held until after the next election. The report is entirely wrong and misleading. When newspapers take the trouble to report the proceedings of the Senate I do not think they ought to mix them up and issue to the public a false report such as this.

Hon. Sir MACKENZIE BOWELL—In what respect is it wrong?

Hon. Mr. BOSTOCK—I thought I made it clear. In the first place we did not refuse the increase in the senatorships; and, secondly, the amendment does not put off the appointments to the Senate, in the event of its being accepted, until after the election. The amendment was to the effect that the appointments should not be made until the end of the present Parliament.

Hon. Mr. CLORAN—In regard to that, I am glad to know—

Hon. Mr. POWER—Order; there is nothing before the House.

Hon. Mr. CLORAN—Nothing before the House?

Hon. Mr. DERBYSHIRE—I think there is quite a lot before the House—the increase of senatorships.

Hon. Mr. CLORAN—Are there no remarks to be made on the subject?

The SPEAKER—No, no discussion.

Hon. Mr. CLORAN—I was going to remark that the paper was perfectly well justified in saying what it did, that the increase in senatorships should not take place until after the election.

ONTARIO BILINGUAL SCHOOL QUESTION.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion moved by the Honourable Mr. David, seconded by the Honourable Mr. McHugh:

"This House, without derogating from the principle of provincial autonomy, deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bilingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the fathers of Confederation, and with the spirit of our constitution," and the motion of the Hon. ourable Mr. Bolduc, in amendment, seconded by the Honourable Mr. Pope,

"That this House, without derogating from the principle of provincial autonomy or suggesting in what manner any province should exercise its powers in matters of education, deems it proper to regret the existence in any province of Canada of divisions in connection with bilingual schools or other national or religious questions, and believes that it is in the interest of the Dominion at large that all such questions should always be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, and in accordance with the letter and spirit of our constitution." And also, the motion of the Honourable Mr. Power, in amendment to the amendment, seconded by the Honourable Mr. Derbyshire:

"That the said amendment be amended by striking out all the words therein after the words 'this House' and substituting therefor the following: 'while it believes it is in the interest of the Dominion at large that all questions as to which divisions exist among the people of any province should be considered on fair and patriotic lines and settled in such a way as to promote peace and harmony between the different racial and religious elements of the population, is of opinion that, inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces, any suggestion volunteered by the Senate as to the manner in which any province should exercise its power would be contrary to the spirit of the constitution and calculated to intensify and extend any divisions of feelings that now exist.'"

Hon. Sir MACKENZIE BOWELL—Hon. gentlemen, I need scarcely say that I very much regret that questions of this kind should be brought under the notice of the members of this House, for the reason that in my opinion they never result in any good.

Several hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—They will be misapprehended by those who have taken an interest in the discussion on this question which has agitated the people, particularly of Ontario, and in the city of Ottawa especially. I never suspected for a moment neither do I think any other gentleman present would attribute to the hon. gentleman who moved the resolution, any ulterior object, politically or otherwise. Those who know him would give him credit for being honest in any statement that he might make. but notwithstanding that, the fact that a very strong feeling exists in the community, not only in the province of Ontario but in other provinces, upon the question which we are now about to consider, makes any reference to it by a legislative body like the Senate of Canada mis-

understood, no matter how honest may be the gentleman who brought it under our consideration. True, he may disavow any intention of creating a difficulty, but the very fact that an opinion is given by the Senate of Canada upon the question will, I repeat, be miscontrued; I confess also that when I read the first motion placed upon the notice paper by my hon. friend, I was very much surprised at the position he had taken, knowing that he was an advocate of provincial autonomy and provincial rights, par excellence, having fought in committee in this House for provincial rights with him a number of times. However, at the instance of his colleagues an amended motion was presented to us, not of so drastic a character as the first, but still objectionable. We then had a third motion by my hon. friend to my left here (Hon. Mr. Bolduc) still less objectionable. Yet the objection existed that it was an intimation—not only an intimation, but a request—on the part of the Senate to express an opinion upon the question which I have referred to, that is, the establishment of bilingual schools in the province of Ontario. No matter how honest our intentions, any position the Senate may take on this issue is sure to be misunderstood. I listened with great attention to the many quotations made by the hon. gentleman from Mille Iles from the opinions of Sir John Macdonald, of myself, and of others upon the question that agitated this country some years ago, but I failed, either in listening to him or in reading his remarks afterwards, to find a single sentiment in any of his quotations which warranted the conclusion that any legal rights to use the French language in the schools of Ontario existed, or that any rights were given to that race to use their language either in the courts or elsewhere in the province of Ontario, though that impression existed at that time and also exists at the present day in the minds of some people. Then comes the question as to whether constitutionally such rights exist. I hold under my hand a very clear and distinct statement of the constitution on that question which was delivered by my hon. friend from Ottawa. I hold also in my hand his opinion before the courts of justice, and how we can reconcile the one with the other is somewhat difficult for me to understand. I fully concur in the statement made by him in the address he delivered in the city of Quebec. To my mind that was a straightforward, well-considered, statesmanlike view of the whole question. In that statement he gives a distinct and positive opinion that there were and are no legal rights to use the French language in the province of Ontario. In the legal advice—that is in the lawyers' advice—a different position is taken. I concur in the one and I have very little faith in the other, and I think I may safely say, if a layman were to venture an opinion upon this question, that in any case which may come before the law lords of the Privy Council in England, his first opinion will be sustained, and that money will be thrown away in contesting the matter. In referring to the discussion itself, I desire to say that no objection could possibly be taken, in my mind, to the tone which characterized the speeches which have been addressed to the Senate upon this question, and I take this opportunity also to say that I have read with great care and attention the speech made by the Premier of Quebec, when this question was brought before the Quebec Legislature, and although disagreeing with him in the conclusion to which he came, I read it with pleasure because it indicated a spirit of fairness and treated the subject in a manner to which I think no one could object. It was in striking contrast to the inflammatory harangue which was delivered by the younger man who introduced the question. I know that when the hon. senator from Compton called attention to the views of one gentleman, my hon. friend who sits opposite me said that he had supported the Conservative party at the last election. That is only an evidence to my mind that that gentleman has had some lucid moments in his life, and there is no telling what may be the result. If he lives long enough he may hold saner views than he has done in the past when dealing with public questions affecting the whole community.

Hon. Mr. DANDURAND—It may please my hon. friend to learn that that gentleman is still supporting the Conservative party in the Quebec Legislature.

Hon. Mr. CHOQUETTE—And outside, too.

Hon. Sir MACKENZIE BOWELL—No, it would not relieve my mind, because I have my own opinions of gentlemen who have such extreme views as he has expressed and who change so rapidly as he does, but so long as he continues in that

course I would commend him for better sense now than he had originally. I desire to put my hon. friend who has just spoken, right upon one point. In quoting Regulation 17 affecting bilingual schools in the province of Ontario, he spoke of the public schools as separate schools and Protestant schools. There is no separate Protestant school in Ontario, except schools established by private individuals.

Hon. Mr. BELCOURT—There are separate Protestant schools in Ontario.

Hon. Sir MACKENZIE BOWELL—Let me finish. Where there are separate schools established under the law as it exists there, they would not be called Protestant schools, but that does not apply to the point to which I desire to call his attention. The deduction drawn by my hon. friend from that clause refers exclusively to the bilingual schools so far as they were affected by Regulation 17. Let me say on behalf of the separate schools of Ontario, this seems to be a question of language rather than of religion in the schools, although the question of separate schools has been brought in and discussed from the time that the motion was made until the present time. Since the law was passed establishing separate schools in the part of the country in which I live, there has been no difficulty in carrying them out. I had the honour of being the head of the common and public school board for a number of years where separate schools, high and grammar schools existed. We never had any difficulty. If any little difficulty presented itself in the carrying out of the separate schools, in the collection of taxes and so on, we always yielded and never had any trouble. It has been the same in reference to taxation. My hon. friend from Halifax called attention to the fact that a question might arise in the province of Ontario as to the proportion of taxes that should be paid by a corporation, the stock of which was held by separate school supporters and by common school supporters. That difficulty did arise, I admit, but how was it settled? I refer to a case that occurred in the Algoma district, in which a difficulty as to the proportion of taxes collected on a large pulp mill, a portion of the stockholders of which supported the separate schools and a portion the public schools. Those two bodies met and did not have any quarrel, and came to mutual arrangements to divide it in as nearly a proper proportion as they could between the separate and public schools. It is true the case was carried into the courts afterwards, and the courts decided that there was no power given in the statutes to justify the course they had pursued. I merely mention that fact to show the good feeling that existed there in spite of agitators and those who take extreme views in this matter. I can give as strong testimony as to the good citizenship of those French people as the hon. gentleman who has spoken so eulogistically of them. In our own county we have a French settlement: they have their separate schools, and I never heard of them quarreling about their language or anything else. I have seen it stated in newspapers in Quebec that certain clergymen had laid down the principle that if a boy was not educated in his own language he drifted away from the church. In the county where I live nothing of that kind has occurred. Take the township of Hungerford with a strong Protestant population. The reeve of that township for many years was a Frenchman named Gabourie. Two-thirds of the population of that county were Orangemen. They never asked the reeve what church he attended. He was a liberal man and attended to his business. Just so long as inflammatory speeches are kept away from the people there is no difficulty and they live in harmony. The hon. gentleman from Rockland (Hon. Mr. Edwards) read a quotation from one of the Toronto papers, controlled by a personal friend of mine whom he knows as well as I do, and no more generous hearted man exists in this country, but that gentleman has very strong views on this question. Another thing I deprecate is the introduction of inflammatory newspaper articles. I know it has been done with the very best intention, but if you want a sample of such articles I have enough before me to keep me reading until to-morrow morning. As an old newspaper man I keep these extracts. I could give extracts from Quebec papers, but I should be very sorry to insult the Frenchmen here by supposing that the writers represent the views of their fellow countrymen. I have already referred to the legal point, but what are the facts. What has led to this? If you turn to the judgments of the courts of the province of Ontario, you will learn from them the cause of what has taken place, particularly in Ottawa, and for the information of those who have not taken the trouble to read it, I shall quote one or two extracts from which we will learn pretty nearly what the conduct

of the representatives of the French supporters of the separate schools in the city of Ottawa has been. I am referring exclusively to the French supporters of the separate schools who have fallen out and differed from the other supporters of the separate schools. From what I read and what I have learned there are two classes of separate school supporters in this city. In giving judgment in the case of which my hon. friend from Ottawa has some acquaintance, I find the following:

Without, however, attempting or desiring to make an exhaustive list of violations of the school law, it may conduce to clearness if I mention a few instances in which I find violations established by the evidence:

1. The use of French as the language of communication and instruction beyond form 1,and as a subject of study for more than an hour a day in a class room without the consent of the chief inspector.

2. The employment of unqualified teachers.

3. Obstructing the inspectors in the discharge of their duties and preventing inspection of the schools.

4. Wilful failure to keep the schools open during the time prescribed by law, and in fact closing them and keeping them closed at and after the commencement of the school year 1914-15.

5. Wilfully omitting to properly equip and carry on the schools by the employment of qualified teachers, and on the contrary dismissing from the schools twenty or more satisfactory, competent, and qualified teachers.

Note. Want of means cannot be invoked as a justification. The department specifically agrees to make an adequate supplementary grant to any difficulty in the case of English-French schools. Paragraph 15 of Instruction 17, August 1913. This was not applied for.

6. Defiant refusal to conduct the schools according to law or submit to the regulations, and so forfeiting or suspending payment of their share of the Government grant; and by publication of their resolutions and declarations, fomenting discontent among the school supporters and encouraging the insubordination of the pupils.

I shall not go into the other issues, but these are some of the reasons which led the judge to render a judgment in favour of those who protested against the conduct of the trustees who had conducted their business in the manner he indicated. That is not all. The clergy in once case had to interfere in this matter in order to assist in creating trouble and difficulty. The judge says:

One gentleman, whose position would argue wisdom and mitigation, unfortunately not in evidence modestly writes: "As priest of the parish I have charge of these families and their interests, both national and religious. The wish of the parents, as is my wish, is that French be taught in our schools to our children as heretofore. I protest against the unjust and outrageous appointment of Protestant inspectors. If need be I myself will cause the children to leave the schools if an inspector insists on wishing to make his visits." (Translation as accepted at the trial.)

Now, that is the position in which the judge found the school management in the city of Ottawa, and I should like to ask any French gentleman present who holds strong views upon this bilingual question whether he would justify for a moment the conduct that is here pointed out, as that of the trustees or of the clergyman who writes a letter protesting against a Protestant inspector entering their schools, and threatening to advise the children to leave the school if a Protestant inspector dares to put his face in the schools. Now, this is the position in which you find affairs in this city. Bear in mind that there is neither law, nor usage, nor constitutional right compelling the Ontario Government to establish bilingual schools, nor had the French settlers in the province of Ontario any right whatever to insist upon their language being taught in the schools in any way until the 17th regulation was adopted. That regulation was attempted to be put in force for the reason that children of French parentage who probably had not a knowledge of the English language when they went to school, and it was felt that they should have an opportunity at least of beginning to learn the English language through the teaching of their own language, as I presume, by explaining to them in English their different words and sentences which they would repeat in French. Now, has that been such a bug-bear to the French inhabitants of Ontario as has been pointed out? Read the opinion of the Roman Catholic Bishop of Timiskaming, Ont., who is a Frenchman, as I should judge by his name; he points out clearly that there is no difficulty with that 17th regulation governing the separate schools of the province of Ontario; and I will take the trouble of reading it to those of you who have not seen it published in the newspapers.

Hon. Mr. CLORAN—What is the name of the Bishop?

Hon. Sir MACKENZIE BOWELL—I will give you that when I come to it. In the course of a recent pastoral letter Bishop Latulippe, of Timiskaming, declares that there is no friction between the English and French-speaking Catholics of his diocese; that bilingual schools, provided they are well organized and efficiently encouraged,

do fully as good work as the all-English schools, and that the results of the departmental examination prove this. The Bishop says in part:

Bilingual Schools Doing Good Work—No Friction in Timiskaming Says Bishop—Ottawa Citizen, March 24, 1915.

In the course of a recent pastoral letter, Bishop Latulippe of Timiskaming declares that there is no friction between the English and French-speaking Catholics of his diocese; that bilingual schools, provided they are well organized and efficiently managed, do fully as good work as the all-English schools, and that the results of the departmental examinations prove this. The Bishop says in part:

"We must not terminate this pastoral without congratulating our parishes of mixed nationalities on having come to a good understanding on the burning school question thus demonstrating that by exercising a little Christian charity, the most thorny problems may be solved without forcing any one to sacrifice his interests.

Without doubt both sides were obliged to sacrifice something. But is not peace worth a thousand times more than any advantage gained at the risk of trampling on one's brethren? And is not sacrifice an essential condition of communal life? From even two persons dwelling together under one roof, as well as from several nationalities living in the same country, do not justice and loyalty exact that no one should reserve all the space for himself, but rather consider, not only the rights of others, but their susceptibilities even to a slight extent? And, after all, are these sacrifices intolerable? Does anyone really believe that bilingual schools, if well organized and well conducted, are less efficient than those where one language only is taught? Those who have any doubts on this subject should visit our schools, and they would be convinced that both our French-speaking and our English-speaking pupils are keeping up strictly to the Ontario Education Department's curriculum. Up to now, at least, the official reports of the results of the departmental examinations, as published in the newspapers, have always vindicated the good opinion we venture to express on the efficiency of our bilingual schools.

Who is to bring this war to a close, not only the war devastating Europe, but also the war that is sapping the strength of our Ontario Catholics? Had the Government of our province seen that Catholics were a unit in demanding redress for the fathers of families hurt in what they hold most dear by the all too famous Regulation XVII, it would long since have set things right."

Are not these true Christian sentiments uttered by that bishop, and if his advice had been followed, if the separate school trustees of the city of Ottawa had acted upon the principles laid down by the venerable clergyman there would not have been the difficulty which now exists. Let me go a little further. In the province of Ontario an interview has been held with Father Burke, formerly of Prince Edward Island, I believe, in which he has expressed sentiments almost of the same character within the last few days, and those who know that gentleman, as I have known him for a great number of years, would never accuse him of saying or doing anything that he considered detrimental to his Church or his creed. In that interview, on the 27th of this month, Rev. Father Burke said:

There has been too much discussion of the educational trouble by pamphlets, demagogues and politicians who mix it all up to suit their own little narrow views and lose sight of public interest.

I may say that the Rev. Dr. Burke is the Editor of the Catholic Register. He adds:

The situation has been too much disturbed, and too much discord created at such an inopportune time as the present. There has been disputing as to the number of schools affected. Some say that illegal conditions exist, and others that they do not. While the people who have stirred things up forget that such important matters are better arranged by negotiation.

That is correct, and that was the principle that was advocated by the hon. member for Halifax when he was interrupted by the hon. member for Ottawa (Hon. Mr. Belcourt) stating that applications had been made repeatedly to the Ontario Government. It is true that representations had been made to the Government of Ontario upon this question and on the difficulty that existed in this part of the province; but the Government was approached in such a manner as to render it impossible for any self-respecting people to listen to the complaints presented in a manner so objectionable. My hon. friend (Hon. Mr. Belcourt) shakes his head. I will not say exactly that they complained to the Government in the same manner that they would talk to the people of the city, but the same spirit prevails in them—a spirit of dictation.

Hon. Mr. BELCOURT—No.

Hon. Sir MACKENZIE BOWELL—A determination to show that they would not act in accordance with the requirements of the Ontario Education Department; hence I do not at all wonder that they received no encouragement. But as Father Burke says, if the Government had been approached in the proper manner, as they are approached on other questions, and as the bilingual question was approached in the beginning when they passed that resolution to enable the younger children to begin to learn English through their own

language, I venture the opinion that there would not have been the difficulties that have arisen on this question. One thing I will say on behalf of the people of Ontario —and I speak more particularly of the Conservative portion of them—that if in any judgment that is rendered by the Law Lords of the Privy Council they point out that the French inhabitants of the province of Ontario have rights which have been denied them, the party of which I form one would grant every concession that the constitution gives them.

Hon. Mr. CLORAN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I speak from long experience in this matter. Perhaps there is no senator in the House who has experienced personally greater difficulties in connection with this separate school question than I have. Had my hon. friend from Lindsay (Hon. Mr. McHugh) been present, I had intended to read him a little lessom from the remarks that he made, but I do not desire to discuss this question in his absence further than to say that if he will take the trouble to study the rise and progress of this separate school question, he will not give all the credit to the French-Canadian people for the rights and privileges that they enjoy in the province of Ontario on the question of separate schools. History will teach him that Sir John A. Macdonald and Sir George Etienne Cartier, two Conservative leaders, are entitled to as much credit, if not to more credit, for the granting of those privileges to the Roman Catholic population of the province of Ontario than any other two men that ever attempt to govern this country. The very law to which my hon. friend from Halifax called attention when I made a little correction of his statement in reference to the Bill which was introduced in 1863 by the late Sir Richard Scott, was voted for by almost every Conservative representative of the province of Ontario, led by Sir John A. Macdonald and others; and as I have pointed out on the floor of this House when that question was mooted before, by every Orangeman present at the time. I am speaking of what I know, and on a former occasion I gave the names in the division list, showing that, with one exception, the whole of the Orange representatives of the province of Ontario who held seats at that time voted with Mr. Scott on that motion. Yet we hear constantly attributed to that portion of the Protestant community feelings and opinions that they never entertained and never exhibited in their practice. I wish to pay my respects to my hon. friend from Ottawa for a few moments on that question, for to my mind he grossly insulted—I am using a strong word—some 20,000 or 30,000 inhabitants of the province of Ontario. I shall call his attention to what I mean by that. I merely mention it now as indicative of a society and a party to which I have belonged since I was of age, knowing them better, I think, than my hon. friend does, and knowing better not only their habits but the opinion they hold in reference to the other portion of the community. I do not desire to continue this discussion longer, further than to deprecate the agitation of questions of this kind, which must and will of necessity create discontent and inharmony among the people of the provinces. I know that the desire of the Ontario Government is to make as efficient as they possibly can the public schools of that province, and they can only do that by insisting that qualified teachers shall be employed and properly paid, which, so far as this city is concerned, has not been done, and it is here that difficulties have arisen to a greater extent than in any other portion of the province of Ontario. There is a great deal more that I could say, but I do not propose to continue.

Hon. Mr. DAVIS—Go ahead, you are doing well

Hon. Sir MACKENZIE BOWELL—I have this to say: I find a letter signed by N. A. Belcourt commenting upon the expressions used by or attributed to Mr. Morphy at the banquet given by the Mayor and Corporation of the City of Ottawa to the Orangemen a short time ago in the Union hotel. Mr. Belcourt—excuse me for calling his name, but I am speaking of him personally now—says in a letter to the Journal:

> In your report of the proceedings of the Orange Convention now being held in Ottawa you stated that Mr. Morphy, M.P. had "quoted Senator Belcourt by saying that the greatest enemy to their French cause was the English-speaking Catholics." I have never anywhere at any time said or written anything of the kind. The statement attributed to me is wholly without any foundation whatever.

When it was represented to me that such an expression had been used by the hon. Senator from Ottawa. I remember saying: "Are you sure that Mr. Belcourt made use of such an expression? I know Mr. Belcourt very well, and he is a courteous gentleman. I believe he has very strong views upon this question of the bilingual schools,

yet I scarcely think he would be fool enough to use an expression of that kind."

Then the hon. gentleman in his letter goes on to say:

Not only have I not made it, but I know that the allegation it contains is untrue. It is not a fact that the greatest enemy of the French language or the French cause has ever been or is now the English-speaking Catholics. Mr. Morphy knows as well as I do who that greatest enemy is. His brother Orangmen will hardly thank him for the attempt to deprive them of what constitutes their principal occupation and their chief glory as well, which is that of being the most constant and greatest enemy of the French Canadian.

On behalf of 20,000 or 30,000 Orangemen in this country I desire thus publicly to repudiate in the strongest possible language that which has been attributed to them by the hon. gentleman in this letter.

Hon. Mr. POPE—Hear, hear.

Hon. Sir MACKENZIE BOWELL: And I say more than that; I say you can study the political history of the province of Ontario and of the party that he condemns so strongly and fail to find any act of theirs that justifies that condemnation and insult to that large body of men that I have quoted.

Hon. Mr. POPE—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I have gone through a similar ordeal myself. In the elections of 1863 I was denounced throughout my whole constituency as a "French mouton." That was the slur that was thrown at every Orangeman and Protestant that would not join in the cry against Frenchmen and their religion. The leader of the Liberal party (Hon. George Brown) denounced us as having sold ourselves to the Frenchmen, and as "moutons." Well, I am very good mutton myself, I confess that. I hold my own strong views upon religious points as well as any one, but I recognize this fact, that under the British Crown and in a British country we recognize the right of every one to enjoy the liberties guaranteed to every citizen by the constitution. We recognize the right of every individual to enjoy his own language and his own religious belief without interference; and that is one of the reasons that makes Great Britain so strong a power as she is in the world to-day. But while that is so, there is no reason why my hon. friend should surrender his own opinions, or that I should surrender mine, so long as we recognize the right under our constitution to freedom to think and act as we please without interfering with the rights and privileges of others. That is the principle on which I have acted. It never offended me to be called a "French mouton." I followed my leaders at that time, Sir John Macdonald and Sir Etienne Cartier until the time of their death, on that and other questions, and I look upon their policy in governing this country, difficult as it is to govern, composed as it is of two distinct races and two distinct creeds, as the only course that could be pursued successfully. So long as we pursue that policy, just so long will this country prosper; but if we have demagogues agitating the people, raising racial and religious animosities, we will begin to degenerate as a people and as a country. I have spoken thus plainly because I have had a good deal of experience in the political life of this country and because I desire to resent the insult that has been thrown at a body of men that I know do not deserve it.

Several Hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—It is not often that I trouble the House by raising a point of order, but I do on this occasion, for the reason that I have read the resolution that is before the House very carefully, the amendment thereto, and the amendment to the amendment, and I fail absolutely to find wherein the amendment to the amendment amends. If my hon. friend who moved the amendment to the amendment——

Hon. Mr. CLORAN—You cannot make a speech on a point of order.

Hon. Mr. EDWARDS—I am speaking to the point of order. If my hon. friend who moved the amendment to the amendment was consistent he should have addressed the House not on the merits, but on the right of this Senate to deal with the question. He departed, however, and discussed the whole question.

Hon. Mr. POWER—Why did not my hon. friend raise the point of order then?

Hon. Mr. EDWARDS—I happened not to be present, or I certainly should have done so.

Hon. Mr. CLORAN—It is too late now.

Hon. Mr. EDWARDS—Oh, no.

Hon. Mr. CLORAN—Oh, yes.

Hon. Mr. EDWARDS—Oh no. Now, an amendment must amend. If a substitute

of the resolution nullifies, then we should vote straight on the amendment to the amendment and not as we are asked to do on this occasion. I submit that the amendment does not amend, and I invite you to scrutinize it carefully. It practically uses the same language in a somewhat different way, but it does not amend. Therefore, Mr. Speaker, I desire your ruling as to the question which I have raised.

Hon. Mr. BEIQUE—I desire to join in supporting the point of order which has just been taken, not only for the reason which has just been mentioned, but for three or four additional reasons. One reason is that there is a preamble embodied in the motion, which is contrary to our rules, which state that no motion should contain a preamble. The second reason is because on its face it appears to be based on the erroneous assumption that the motion sought to be amended volunteers a suggestion as to the manner in which any province should exercise its powers—which is not the case. The motion sought to be amended says this:

Without derogating from the principle of provincial autonomy or suggesting in what manner any province should exercise its powers in matters of education.

Well, surely the assumption as contained in the motion in amendment, as moved by the hon. gentleman from Halifax, assumes, or is based on the assumption, that this is not contained in the motion sought to be amended. Another reason why the motion is out of order is this—because the expression of the belief that the question refered to should be settled in accordance with the letter and spirit of the Constitution cannot be contrary to the spirit of the Constitution. I will call the attention of the hon. gentleman to this fact, that his motion in amendment commences by saying:

While this House believes it is in the interest of the Dominion at large that all questions as to which divisions exist among the people of any province should be considered on fair and patriotic lines and settled in such a way as to promote peace and harmony between the different racial and religious elements of the population, is of opinion that, inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces.

This is the preamble:

Inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces, any suggestion volunteered by the Senate as to the manner in which any province should exercise its power would be contrary to the Constitution and calculated to intensify and extend any divisions of feelings that now exist.

How can this House say that the motion which is sought to be amended is contrary to the spirit of the Constitution when the enacting part of the motion is this:

This House believes that it is in the interest of the Dominion at large that all such questions should always be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, and in accordance with the letter and spirit of our Constitution.

The amendment moved by the hon. gentleman from Lauzon (Hon. Mr. Bolduc), demands what? An expression of opinion that this question could be settled in accordance with the letter and spirit of the constitution, and the hon. gentleman from Halifax suggests that this is contrary to the spirit of the Constitution. The hon. gentleman will see that it would be a very serious error, inasmuch as it would be very illogical, to adopt a motion of that kind. The last ground to which I desire to call attention is that it is contradictory in its terms, the first portion embodying the very principle which is sought to be denied by the last portion. I have only to call attention to the first portion of the motion of the hon. gentleman from Halifax, which reads as follows:

While this House believes it is in the interest of the Dominion at large that all questions as to which divisions exist among the people of any province should be considered on fair and patriotic lines and settled in such a way as to promote peace and harmony between the different racial and religious elements of the population, is of opinion that for the reasons mentioned it would be contrary to the spirit of the constitution.

The amendment commences by expressing the very opinion which is sought to be denied by the last portion. It seems to me the motion should be declared out of order, and I hope the hon. gentleman from Halifax, for whom all the members of this House have the greatest consideration—as we look upon him as being a parliamentarian of large experience and as guiding us in a large number of these matters—will see that it would not be creditable to the Senate to entertain a motion worded in the terms of this motion.

Hon. Mr. POWER—I wish to say a word first with respect to the point of order raised by the hon. gentleman from Rockland. That hon. gentleman's point of order

was that my amendment is not an amendment at all, inasmuch as my amendment proposes to wipe out the conclusion of the original resolution and the first amendment, and to substitute something altogether different. I think that point of order is not well taken. The original motion proposed that the Senate shall express a decided opinion about the difficulties that now exist in the province of Ontario, and my amendment says we have no business to talk about it, and that we should say nothing about it. That is about as decided an amendment as you could very well fancy. With respect to the point of order raised by the hon. gentleman from De Salaberry, I do not think it necessary to argue the case very much. Unless one used a microscope he could hardly see the point. What is the position? First, the original resolution, to which my hon. friend from De Salaberry saw no objection, was " that this House, without derogating from the principle of provincial autonomy," and so on—that is a preamble just as much as the statement in the amendment is a preamble. The amendment is that " it believes it is in the interest of the Dominion at large," and the other one says that "without derogating from the principle of provincial autonomy." The two are on the same lines. While I think we should have due regard to order here, I do not think that what one cannot help regarding as frivolous objections, should be allowed to interfere with the free course of discussion.

The SPEAKER—In order that the decision which I am called upon to give, may be better understood, I am obliged to condense in a few words the tenor of the motions now before the House, so that the end which is sought to be attained by each of them may more readily be grasped.

The main motion, the one moved by the hon. senator for Mille Iles, asks this House to declare that it is within the limits of its jurisdiction or of its powers to express its regrets on the divisions which seem to exist in the province of Ontario in connection with bilingual schools, with the hope that these difficulties may be settled in peace and harmony and in accordance with the spirit of the Constitution.

The motion in amendment, the one moved by the hon. senator for Lauzon, asserts that this House, without suggesting to any province what rights it possesses in matters of education, believes it is its duty to express the wish that all difficulties in connection with the bilingual schools or other national or religious questions be settled in peace and harmony and in accordance with the letter and spirit of the Constitution.

The difference between these two motions is that the latter does not assert the jurisdiction of the Senate, nor its powers in school questions, and does not point out the province of Ontario as being the seat of bilingual difficulties.

In short, the motion of the hon. senator for Lauzon is a more expanded declaration aiming at no particular province, and in which great care is taken not to assert what may be the powers and the jurisdiction of the Canadian Parliament in that connection.

Let us see now what is sought by the motion of the hon. senator for Halifax.

Taking the conclusions of the main motion and those of the motion in amendment, it presents them as the preamble to the expression of opinion which is sought from this House, and this opinion is that the British North America Act, having committed questions of education to the provinces—whatever opinion may be held in the Canadian Parliament—it would be contrary to the spirit of the Constitution and calculated to intensify any division of feeling that now exists.

Having established the nature and the range of the motions now before the House, the question arises whether the sub-amendment is in order.

Firstly, in what does it amend the amendment? It does not amend the amendment in this sense that, similarly to the amendment, it asserts the necessity for this House to declare that any school difficulty be settled in peace and harmony and in accordance with the Constitution. All this portion of the sub-amendment, being a repetition of what is already included in the amendment, cannot be considered as an amendment.

There is one point, however, where the sub-amendment differs entirely from the amendment. It is when it asks the House to assert:

1. That the British North America Act has committed to the provinces alone the settlement of difficulties in school matters;
2. That any suggestion of the Senate—even if within the limits of the powers committed to the provinces—would be contrary to the Constitution and calculated to create still deeper divisions.

This double assertion is contrary to the letter and spirit of the Constitution and con-

tradicts the principles set down in the first part of the sub-amendment.

It also contradicts, in the most striking manner, the conclusion of the amendment which, in order to obtain a settlement in peace and harmony, precisely invokes the spirit and the letter of the Constitution.

For that very reason, the sub-amendment becomes an expanded negative.

Parliamentary jurisprudence is explicit on this point.

May (page 293) in his classical work on parliamentary usages, thus expresses himself:

"The Speaker has also ruled that an amendment that was merely an expanded negative or otherwise irregular in form, could not be proposed from the chair."

In Peel's decisions, we read on page 9:

"A mere negative cannot be moved as an amendment. A proposed amendment which is merely an expanded negative in another form, is not in order."

In Denison and Brand's decisions, we find, on page 9, the following doctrine:

"Amendments in the nature of substantive resolution and not of amendment to the resolution before the House, cannot be put."

The motion of the hon. senator for Halifax, not amending anything, simply becomes what is called a motion intended to be substituted to a regular amendment, that is to say, a parliamentary tactic to deny to this House the obligation of pronouncing itself on a question that has been regularly submitted to it. It is in reality a substantive motion, in no way an amendment, and consequently cannot regularly be moved.

For all these reasons, and under the authority of parliamentary jurisprudence, I declare the sub-amendment moved by the hon. senator for Halifax, to be of the nature of a substantive motion and that consequently it cannot be moved.

It is not an amendment, but a mere substitution which is proposed. This substitution is not in order because it is a substitution and is preceded by a preamble, and finally because it merely seeks to negative what it asserted in the amendment.

Its very nature excludes it from permissible amendments. Therefore, I think the point of order is well taken.

Hon. Mr. POWER—I have the honour to appeal from the decision of His Honour the Speaker.

The members being called in.

The SPEAKER.

The SPEAKER—A point of order has been raised claiming that the sub-amendment was not in order. I have ruled that the point of order has been well taken and declared the sub-amendment out of order. I did so in a statement I prepared myself, because my attention had been called to the point of order. When a point of order is raised and I have ruled it out of order, it is my duty to give reasons. In this I have ruled the point of order well taken and ruled the amendment out of order. The question is shall the decision of the Speaker be sustained?

The Senate divided on the question and the decision of the Speaker was reversed by the following vote.

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Non-contents, 31.

The SPEAKER—The decision of the Speaker is reversed.

Hon. Mr. CLORAN—In venturing to continue this debate under the circumstances, I do so with some apprehension in regard to the way my views may be accepted, especially by this House, but with very little apprehension as to how they will be accepted by the community at large, because the views I may be called upon to give expression to in this debate will spring from a source of sincerity, truth and justice. I have no other consideration in view but the welfare of this country, not as when we were discussing war measures, from a material point of view. This debate involves the moral, mental and intellectual welfare of the community, and on these grounds I consider this debate is more important and of more moment than the question we were discussing as to whether we should have 7½ per cent on raw goods or made up goods, or 5 per cent increase against the British workmen or manufacturers. These questions are very important in themselves, when we consider the material prosperity of the country. It is not always pleasant to talk to an assembly that is not interested in the question before them It is much more unpleasant to have that assembly abuse its privileges by interrupting the Speaker. What I have to say to-day is not for the instruction and conviction of hon. gentlemen here, but for the benefit of my compatriots throughout the Dominion, whether in Ontario, Quebec or elsewhere. If I cannot speak to hon. gentlemen here, I can speak over their heads to the people of the Dominion, and that is my privilege. The

observations that I have to make on this question arise from the debate largely based on personal, political and historical points of view. My first personal observation in this debate was the fact that all the champions, able as they were, who championed the rights of the French language to fair play in this country, spoke not one word of French, except two Acadiams, the hon. gentleman from Antigonish (Hon. Mr. Girroir), and the hon. gentleman from Shediac (Hon. Mr. Poirier). Here is a question for the champions of this cause, which affects the vitality of the race from all points of view, religious, social and material, that not one of them used that great old language of Mirabau, Lacorderie or Racine. What is the object of learning French if you do not use it on a historical occasion and in the forum of the nation? I think they have weakened their case in surpressing their tongue on the floor of this honorable House, and I give all praise and credit to the two Acadians, who are not interested in this matter, who have free scope for their tongue in their eastbound provinces, who raised their voices in the Parliament of Canada in the French language on this question. They are to be commended for their attitude. I think the hon. gentleman from Rigaud (Hon. Mr. Boyer) made mention of the fact. He congratulated the member from Antigonish for having spoken in French. This feature will necessarily appeal to the people throughout the province. I have often advised my French Canadian friends in the House to speak their native language in this Chamber, and to demand the constitutional rights, which nobody can deny, but many of them to-day have disappeared from the Parliamentary scene. They are now in high positions throughout the land, and they have often told me they would like to speak French, but when they talk in that language the Chamber is emptied, and there is nobody to listen to them. I say to them, "That is the very time and reason you should insist upon speaking your language in the House."

When a member speaks on the floor of the Commons or in this Chamber it is not for the purpose of making votes or changing any member's conviction; he speaks to the country over the heads of the Commons and Senate. A member would be a fool to elaborate his subject simply in the desire or hope to secure a vote of one or two members in either House. Public men should address themselves through the medium of this Chamber and the Commons to the country at large. I have said to my French friends: "Do that and respect will be paid you You will force those people who do not understand French to learn it. Talk the maternal language, the language of the constitution and do not hide it simply because half a dozen members in the House do not understand it. The people of your province and the Dominion of Canada will understand it." My mission failed; it had a little success for a while. There was an attempt in the Lower House to speak the language of the province of Quebec, but it lacked courage. Perseverance was wanting, determination gave out, and the result is that in both Chambers of the Dominion of Canada, French is suppressed by the French members themselves, and not by act of Parliament or by any hostility of the people of the country.

Hon. Mr. POIRIER—Hear, hear.

Hon. Mr. CLORAN—That is one of the observations which I have to make during the debate. Am I right or wrong in placing it before this hon. House and before the country? I cannot be wrong, because the observation is based on facts which are indelible to-day in the records of the country. Another observation I was obliged to make was on the point raised by some of my colleagues in regard to the rights of education—religious and state rights. This to my mind is not a difficult problem to solve, but certain people whose experience of life and education is limited, whose commerce with other nations and other peoples has been limited, do not very readily understand it. Parental authority is supreme in all matters of education, when the parent is able and willing to give education to the child. In case of the parents' incompetency or unwillingness, the authority falls into the hands of those who will have to look after the welfare of the child. The child has to accomplish two things in this world, first his salvation from a religious or spiritual point of view, and then to secure for himself his physical necessity by the sweat of his brow. A child, from the moral, spiritual and religious point of view, falls into the hands of the spiritual and religious authorities, no matter what or who they may be. If the child be a Hebrew, the Hebrew father and mother must see that he gets religious education according to the tenets of their religion. I go so far as to say that if a child be a pagan or heathen it is up to the father to see that he gets the necessary moral education according to his lights and according to the natural lights. If he be a

Christian, whether on the Protestant or Catholic side, it falls to the authorities of those branches of the Christain faith to look after the moral and religious welfare of that child. As to the physical requirements of the child, if the parent is declared incompetent or unwilling, just as the Church has the right of seeing after the moral and religious welfare of their children, so it becomes the duty of the state to see that that child is fairly, if not fully, equipped for the burden of citizenship.

Thus we have three authorities—parental authority, when it is competent and willing; religious authority when it is not, and civil authority, which has the right to step in and take the place of incompetency or unwillingness. Certain clerics want to claim entire control of the education of the child, but there is nothing in Christ's doctrine to give them that power, because Christ himself said, "Give unto God the things that are God's"—give unto God the religious and moral life of the child—"Give unto Caesar the things that are Caesar's"—give unto the State a sound mind in a healthy body, for that is what the State requires. There is no question that parental authority in regard to education begins and ends with the competency of the parent to educate its child. But take nine out of ten of the fathers of this country, what do they know about practical business, science, finance, the arts, trade and commerce, militarism—unfortunately for poor Canada militarism is becoming one of our new subjects. Is the Church going to give them education in militarism, in finance, in trade and commerce? No, it is up to the State to give them that education. This is in accord with Christ's doctrine—that the things religious go to God and things material and of the State go to Caesar. That doctrine cannot be controverted. I have heard hon. senators as well as celebrated agitators declare—what has always rankled within my breast—that if a language was lost by a people their religion would go the same way and be swamped by infidelity or other means of corruption. They based their claim for attachment to the faith on language, but there was no principle more false than that. I object to religion that has to exist, or claims existence, only on account of language. Christ never taught that. We take our religion from men of different races—Syrian and Greeks, who composed the disciples and apostles. Religion knows no language, and any religion which has to depend for its existence upon language is a fallible thing, and goes to the ground in a very short time. Those who preach that any particular language is necessary for the conservation of the faith in any church preach a false doctrine and are false prophets in their own country. The Scotch people have lost their language, but there are no firmer believers in Christ through the Catholic Church than the Scotch. The Irish people have conserved their faith in the Catholic Church and in Christ as He taught His religion not only in their own country, but are just as staunch adherents of Christ from here to the Antipodes as when they talked the pure Celtic language, if not stauncher. These instances show that those agitators who make such a claim are a menace to the community, because they raise false issues and put religion on a ground that crumbles like dust. Another point, which is probably the crucial point, and that affects this question at its root, is the argument that the elementary education of a child is to be accomplished by the so-called dual language. As a victim of dual language instruction, I may say that it has taken me all my life to correct the errors into which I was led in regard to my maternal language, and I have not accomplished the task yet. The elementary education of the child, to be effective and satisfactory, must be given in one tongue and one tongue only, the maternal tongue. That statement runs counter to the claims of the agitator and of those who want education to be given in two languages. Take a class of 20 or 30 young German children and try to inculcate the French language into them through the French tongue and you miss the mark; you will not develop the brain of the child and you will not teach him any language. Take a class of French children and attempt to teach them the ABC and the French grammar through the English language, and you will make a mess of the undertaking, for it is impossible to arrive at results. A child has to be taught his elementary principle of education through his maternal tongue, whatever the language be. This question of bilingualism has brought about a situation of things that should not exist. Bilingualism is a misnomer; a thing that leads on a false scent. I am a victim of bilingualism; I am not able to speak perfect English after 55 years of hard work; and it is due to bilingualism. If I had got my education in the English language I would not be obliged to resort to French idioms and French words to express

my ideas. I am a living example of what it means to be educated in a foreign tongue, and my education has cost me over 27 years of my life, and I am still at it trying to learn the English language. At one time I think I knew the French better than I did the English, so that I can speak from experience and some knowledge of what a child has to go through. After all, it is the old story—no man can serve two masters, much less can a child. Each language has its own merits, its own use, its own resources, but any student of mundane affairs knows that the English language is par excellence the language of trade and commerce, the language of business, the language of practical politics as developed in the United States, Canada and England. The English language is a requisite for all people who want to trade and do business. I have been brought up in the French language from my youth. It is the language of polite arts, the language of love, the language of poetry, the language of diplomacy, controlling the entire world in its deliberations, in all courts, royal or otherwise, in all functions, scientific or otherwise. Where there is a meeting or a gathering of men from all nations of the earth, the predominating language is French. No one in Canada will refuse a fair footing to that language unless he wants to be short in his education. I cannot conceive that any sensible man or any government—municipal, county council, provincial or federal—would undertake to say to any citizen of whatever nationality, "You must not learn French; you cannot learn French." Canada is too broad for that; but unfortunately many Canadians are not industrious enough to learn that language, and colleges and schools are prone to teach the dead languages rather than this living language which is of value at the present day. It is officially recognized throughout this Dominion in all federal appointments and federal courts and offices, therefore I would advise Canadians to learn that language and give it to their children. That is the line of attack they should follow and they would profit by it as would their children, and finally this Canada of ours would profit by it and we would have no more talk of the French language or any other language. Let the fathers and the mothers follow that line of education, and see how much good will redound to this country which to-day is split up on this question. The French Canadians of Quebec, and even the representatives of the province of Quebec, would rather speak English than their own tongue. We have evidence of it here in the Senate. They pick up English as fast as chickens pick up grain, and our English students pick up nothing; that is where the French Canadians have the advantage over the English-speaking people, not only of the province of Quebec but of Canada at large, and that is one reason why I appeal to fathers and mothers and educators of the children of Canada to teach their children French instead of Latin, Greek, Hebrew, Spanish or any other old language. Give them the language of the day, the language of the country, the language of mutual intercourse between all the peoples of this country. Is not that a fair appeal to make to the fathers and mothers of this country? I think it is. The agitators on this question are unconsciously driving home a wedge that may split the national fabric. I do not refer to the common people, but to a few interested agitators, men looking for jobs in the Government, or Government attorneys who are paid large fees, and so on, members of school boards that are unfit for their jobs. I say to those people, you are driving a wedge into the national fabric which may split it, and I call upon you for a halt.

Why, this agitation has already affected the very existence of the school system in Ontario. Ottawa is the only place in this province where trouble arises and in this city this year the taxes on over one million dollars worth of property have been transferred from the separate to the public schools. Was that done on the ground that the contributors of these taxes became anti-Catholic or anti-religious? Was it done to hurt the separate school system? No, this transfer of values from the separate schools to the public schools was caused by the bungling and wasting of money on education as administered by the separate school board for the past ten or twelve years. The agitation is having a very dire effect on the separate school system, because that system cannot exist without money derived from taxation. Let the trustees beware, and spend no more of the money of the people foolishly, as they did last year. No later than last night at the separate school board meeting what happened? There was a little dispute on between the board and the Provincial Legislature; a school board of sixteen members appointed and paid the expenses of six or seven members to go to

Toronto and confer with the Ontario Government. There was no necessity for such an expensive delegation, because each man who took the trip allotted to himself thirty dollars. All it would cost him for his railway fare and two hours' stop in Toronto could not be more than $15. A return ticket costs $12.85, and you can get a square meal for fifty cents. That was a case of extravagance. The cost of that trip would have paid for one or two good teachers in the district. And then we find the same school board voting $350 last night for an adding machine. What use is an adding machine to a school board? I thought the adding machine was in the top-knot of the pupil. In my time all our calculations were done in the brain. This shows what an incapable lot of schoolboys these separate school trustees are. They are incompetent to calculate money, although they are quite able to spend all the money they can lay their hands on. These agitators ought to remember that the people of Ontario have been very sturdy friends of the minority in this province. They ought to remember that the greatest men that have held the destiny of this province in their hands for thirty-five years have risked everything to safeguard the rights and secure the privileges of the Catholic minority. They seem to forget that. They seem to forget that from the time of Confederation the separate school system was endorsed and placed on the statute books for ever. They seem to forget that the Mowatts, the Frasers, the Hardys, the Pardees, and the Ross' risked many a battle in the political field for the sake of the minority in that province. They give them no credit for that, and they risk their political lives on many a battlefield. I do not know if there are any senators present who remember the awful contest that raged over this school question from 1882 to 1887 between the present Chief Justice, Sir William Meredith, one of the ablest men that ever held a brief from a constituency in Parliament backed the Toronto Mail and his opponents. Anybody having any historical knowledge of the task accomplished on behalf of Catholic education in the province of Ontario would never raise a finger against that province. During all these 35 years I must give credit to the Liberal party for having maintained the rights of the minority. They were the only ones that could do so, as they were in power for 35 years. But I must say that when these battles occurred there was many a Conservative backing them in their policy. Otherwise they would have been beaten, because at that time every Grit did not vote Grit, nay more than they did in the last election when the Papal cry was raised. Many a Grit voted against his party on religious grounds then, and Mowat would not have remained in power 35 years if he did not have the backing of good solid Conservatives. But the agitators forgot all this. Remember that these rights of the minority were always held, and there was no question of either the German, French or English language. It was a question of maintaining the rights of the minority. I am going to ask a serious question, because, after all, Regulation 17 is the basis of the present agitation; it is the one upon which the minds of big men in high places, church and state, are divided. Is Regulation 17 a violation of the rights of any minority in Ontario, as covered by the constitution of the Dominion of Canada? Who is prepared to say that it is? That is a straight and plain question that everybody ought to be able to answer for himself.

I will allude to another local matter which does not broaden the debate, but which may excuse the remarks made by speakers in this hon. house, or by writers in the public press, or speakers on the public platform when discussing the question of education. Is it true that the Ottawa Separate School Board, which is the main cause of the trouble, is unfairly composed? Is it true that the position of the Ottawa Separate School Board up to ten years ago was about equally divided between the English and French. Is it true that the equality of representation on the Board at that time, which had done good work, was upset by the late Archbishop of Ottawa. Is it true the composition of the board to-day is an injustice to the people of Ontario, paying the largest amount of taxes to the separate schools and sending the lesser number of children. Is it true that owing to the condition of things a large number of separate school supporters have transferred their taxes from the separate school board to the public school board? Is it true that the English-speaking minority under the jurisdiction or control of that board are not satisfied with their representatives? Is it true that in separate school trustee elections advantage is taken of the dual note to put aside the real representatives of the English

speaking minority to take on representatives who are supposed to be in sympathy with the majority? Is it true that the beginning of this trouble was some eight or nine years ago when an understanding was reached by the separate school board, that each faction of the minority should have eight representatives on the board and that that understanding was accepted by the late Archibshop and guaranteed? Why was that guarantee set aside and the agreement abandoned?

Coming to the subamendment, I voted against the Speaker's ruling. Although I am not wholly opposed to the sub-amendment, I do not like the way things shape in regard to that matter in a free Parliament such as ours. I was surprised that the hon. senator from Russell the (Hon. Mr. Edwards) should have consented to play the part he did in that transaction. This honourable House has debated the sub-amendment of the hon. gentleman from Halifax for some time. There was no question of order raised. I felt that it was too late in the day to rule out free discussion on a technical point of order which was an afterthought, and probably drafted by the men who drafted the amendment. I do not like these things and will not stand for them. I like free discussion. The hon. senator from Halifax asks this honourable House to refuse recognition of the demand of the hon. senator from Mille Iles (Hon. Mr. David) on the ground that Parliament has nothing to do with the question of education. I agree with him there. As a matter of principle and doctrine there is not the slightest doubt about that, but when the hon. senator from Halifax asks this Chamber to disavow and disallow both amendments on that ground I say he is not the proper authority to ask the House to do such a thing. When the Home Rule resolution was brought before this Parliament in 1882 by our esteemed colleague from New Brunswick, Senator Costigan, he was the very one to rise in this House and tell us, in spite of the objections raised at the time, that the Senate and House of Commons, comprising the Parliament of Canada, had no right to lay at the foot of the throne its prayers, or its advice if you want to put it that way, for justice and fair play to the Irish people at the hands of the British Government. The speech is in the debates of 1882 and hon. gentlemen can read it. Although Parliament may not have a constitutional right to decide a public question such as this, there is nothing in the constitution to prevent Parliament or any public body from discussing any question and giving advice thereon, or making a prayer that their views may be entertained. Parliament is not prohibited by the constitution from making a declaration on any question. I remember the debate in 1882 when Sir John Macdonald and his active colleague, Sir Mackenzie Bowell, John Costigan, Hector Langevin, and Sir Adolphe Caron carried the day in the House of Commons, and the motion was passed calling upon the Queen, and through her calling upon the British Parliament, to grant a measure of home rule to Ireland. That was done under Sir John Macdonald. In 1886 history repeated itself, but this time much against the will and against the grain of Sir John Macdonald and his colleagues in the Cabinet. We tried to get Hon. John Costigan to move again in 1886 resolutions of a similar character, but Sir John Macdonald would not permit it, and Messrs. Costigan and Caron would not listen to it, notwithstanding the fact that the occasion was more opportune in 1886 than in 1882. It was more propitious because at that very moment Gladstone had introduced his Bill in the British House of Commons, and was about to carry it, but owing to certain influences it was not put through. It was about the time of the Riel agitation. There was a tremendous fight in the country over the hanging of Riel. The Orangemen were up in arms against the French. This issue of to-day is a small matter compared to the fight of that day between the Orange and French elements. What happened? The Legislature of Quebec was in session, the Ross-Taillon Government had in their Cabinet two men named Flynn and Lynch, one of whom afterwards became Prime Minister of the province and the other a judge in the Superior Court of Quebec. I give these facts, because I was editor of a paper called by some the Fenian organ, but which was the Montreal Post and True Witness. It was suggested to the Ross-Taillon Government that they should submit a set of resolutions commending Gladstone for his action in introducing a home rule measure in the British Parliament, but the Tories, taking their cue from Ottawa, would not have anything to do with it. Then the hon. leader of the Opposition, Mr. Mercier, who six months afterwards became Prime Minister of the province undertook to place the resolutions before the House, and the argu-

ment was raised that Quebec had nothing to do with the matter, that it was not within the jurisdiction of the provincial legislature, and they gave us all that bluff the same as they are giving it to us now, and Sir John would not do it. The Quebec Tories said it was beyond provincial jurisdiction. What happened? When Mercier brought the resolution before the House there was an immediate scurry of the Cabinet ministers to a council meeting, and a revolt was proclaimed by Flynn and Lynch. They were asked by the Prime Minister "what are you going to do about it?" And they said, "We will give our answer on the floor of the House when the resolutions are introduced." The council broke up, they came into the Chamber, and Mercier and James McShane proposed a resolution as they had a right to do, backed by Mr. Mercier, and when it came to a vote the Prime Minister took one side and his two ministers, Flynn and Lynch, gave their answer by voting for the resolution, and it was carried. What happened? The resolutions were wired to Gladstone immediately on the second reading of his Bill.

It being six o'clock the Speaker left the Chair.

AFTER RECESS.

Hon. Mr. CLORAN resumed his speech. He said: If I am not mistaken, when the House rose for recess I was dealing with a very historical question and the right of a Parliament or a representative body to pass upon measures and questions not within their jurisdiction or under their control. To support my contention I recalled the fact that thirty years ago the Parliament of Canada advised another Parliament in regard to a matter of very serious and grave importance. The Parliament of that day, which was led by Sir John Macdonald and by our honourable and venerable colleague, Sir Mackenzie Bowell, decided that Parliament could take action in the way of advice, in the way of prayer, in the way of hope, and that action was taken, not in regard to any unimportant body, but in regard to royalty itself, and the Imperial Parliament of Great Britain, Ireland and the Empire. In 1882 the Canadian people, through its Parliament, undertook to pass resolutions involving a prayer, a hope, an advice that should be laid at the foot of the throne and communicated to the Imperial Parliament sitting in London, and that on a question absolutely foreign to the domestic politics of this country, and the Parliament of that day obtained, both in the Lower House and in the Upper House, consent to direct the attention of the Queen and the Government of the day to the fact that it would only be fair and right, according to the wording of this resolution "on fair and patriotic grounds," to give to a little island over the sea a measure of self-government. To my mind, that was a serious undertaking in the history of parliamentary government. It was serious, because this Parliament had no right to dictate or to advise the Mother of Parliaments. It undertook the task, and with what result?—that from Her Majesty the Queen and from the British Government, the Imperial Parliament, Canada was thanked for its message sent on that occasion. That is a precedent established in the most formal way in which a precedent can be established—that a parliament of free people can undertake to express an opinion or pass resolutions in regard to the welfare of the people. In 1882, our prayer and our hopes and our advice were set aside; the British Parliament did not deem it advisable or necessary at the time to grant the measure of relief asked for on behalf of the Irish people. Political events developed, with changes of Government, and in 1885, when the late Gladstone was Prime Minister of this great Empire, he undertook, on behalf of the dominions over the seas, on behalf of the Scottish people, who were a unit in favour of home rule for Ireland, on behalf of the Irish people, on behalf of conciliation and union and peace within the Empire, to introduce his measure of home rule or self-government for Ireland. Then came another opportunity for the self-governing colonies of the Empire, and not only those colonies but foreign states, to express their views with regard to the situation; and in 1885 and 1886, when Gladstone undertook to introduce that measure in the face of centuries of objections, he was hailed as a champion of human rights, not alone within the Empire, but outside of it. The stately legislature of New York was one of the first among many to send a message of congratulation to that statesman who has had no equal since the days of Pitt. Now, imagine a foreign legislature interfering with the affairs of another; but they did it on fair and patriotic grounds, on the ground of common humanity. Gladstone was most thankful and grateful for the expression of opinion passed by the New York legislature in 1886. Then after that it became the duty of Canada, Australia, New Zealand and the other overseas dominions—they were not called overseas dominions at that time, but

simply and purely little colonies ignored and despised in London thirty years ago—to strengthen the hands of Gladstone in his attempt to get this Bill of relief put through the British Parliament. What happened? An appeal was made to the Federal Government of the Dominion. Sir John Macdonald was then Prime Minister. He declined to take any positive action in the matter. His colleague, one of his most able, fair and fearless colleagues in that Cabinet, is now here opposite me, Sir Mackenzie Bowell. When the Federal Government declined to take action in the matter steps were taken to have it brought before Parliament anyhow, and I remember well the occasion when Edward Blake, the leader of the Opposition, was interviewed on the matter and said, "Sir, I have been approached by many authorities, by many organizations in Canada with regard to this matter, but I have not yet felt it my duty to introduce resolutions of that kind." Blake, one of Canada's noblest sons, especially from the point of view of intellectual ability and conscientious manhood, trying to help Canada in the path not only of prosperity but of virtuous citizenship and of honest government, when I put the situation before him, simply answered this, "I shall give my answer to you on the floor of the House at four o'clock; be in the gallery." I was in the gallery at four o'clock and I received a message from Blake saying, "I am going now to rise and propose resolutions not asking for home rule—it was granted by the Prime Minister of England, at least brought in—I am going to move that this Parliament of Canada extends its congratulations to the Prime Minister of Great Britain in regard to this measure." That is what he did. Then Sir John Macdonald and his Cabinet saw danger ahead. Would they oppose the motion? They dare not do it, although there was much in their favour to dare to do it, but they did not feel themselves strong enough to oppose the motion at that time. Amendments were proposed from the Government side of the House to kill the motion, by having it sent to the Speaker of the House, who had no authority in the matter whatever. The resolutions to be of any effect, should be communicated directly to the Government of the day, or to Her Majesty at the time. If my historical memory does not give way I believe the amendment of the Government was carried; it was a half-way measure. That is another incident in four or five which goes to show that this Parliament can deal with questions outside its jurisdiction and not under its control. Need I cite other examples? I shall do so for the benefit of history. Quebec is a province almost totally strangers to the Irish cause or to British enactment, a province with a population nine-tenths French, yet one man, Honore Mercier, against the Prime Minister and four of his colleagues, had the Parliament of Quebec endorse the position taken by Blake in this honourable House. In their sympathy for people looking for right and justice they passed unanimously resolutions similar to those passed by the Parliament of Canada. Is that not another argument against the amendment of the hon. gentleman from Halifax? When Sir Oliver Mowat, champion of the rights of the minority of Ontario, who fought successfully for those rights, was approached and asked to introduce similar resolutions in the Oontario Legislature, was his answer a negative one? I pay a tribute to his memory as being a champion of justice and right where the poor were concerned. He passed similar resolutions in the Ontario House. They were transmitted to Mr. Gladstone, and I am proud that in this great debate in Britain, Gladstone quoted verbatim the resolution passed by Quebec and appealed to English, Scotch and Welsh to follow the example of the French people of Quebec. "Try to be fair and just" were the words of Gladstone in moving the second reading of that Home Rule Bill. His words appear in the English Hansard. What greater authority do we want in this honourable House to ask that the rights or privileges of people who are oppressed should be respected. Would to God that the prayer of the provinces of Quebec and Ontario, and the supplication of the Canadian Parliament, and the Parliaments of Australia and New Zealand had been heeded in 1886. If they had been heeded we would not have the scene in the British Isles of an Empire divided against itself in the year 1914, and would have had no open rebellion in the months of June, July and August last. There would have been no smuggling of guns and ammunition into the hands of those people to fight the Government because the Government was prepared to do what Gladstone had proposed. There would be no necessity to answer the Bonar Laws, the Carsons, the Seeleys in England, or the Sam. Hughes in Canada in regard to rebellion and revolt against the British Government.

In June, July and August last, when the Kaiser thought for a moment that rebellion was rife in the British Isles, that England was divided against itself, he said: "This is the psychological moment. England will have enough to do to put down this rebellion, and I shall conquer France if England does not come into the war, therefore let war be declared," and it was declared by the Kaiser under the impression that the British Empire was divided. There is no other explanation for the declaration of war. He thought that a certain portion of the British Empire was in open revolt under the Seeleys, Carsons and Bonar Laws of England, and Sam Hughes of Canada. The Kaiser did not count on the fidelity and the devotedness of the Irish people to the Crown, and on the declaration of war Redmond said to Prime Minister Asquith, on the floor of the House: "Take all your soldiers from Ireland, we shall defend it alone." These facts appeal to me very much. They are the underwork of the whole miserable, and damnable war that is going on. Never would the Kaiser have undertaken this war were he not convinced that rebellion was rife in the British Isles, and by whom? By the so-called Loyalists, the so-called Defenders of the Faith, and the open Bible. And what do we find? We find the Irish people as a man standing by the Crown, and I am glad to say to-day the Hon. Prime Minister of England, Mr. Asquith, found that the Irish people were going to be just as faithful to him as they are to the Crown.

The Irish people ask for no favours, ask for nothing that is not in accord with justice, right and truth. We have a right to express our views and send them to England to the Prime Minister, that he may continue in the path that he has marked out for himself and the great Liberal party of the British Empire. Let him not be daunted or hindered by Bonar Laws, Carsons, Seeleys, or by some men here in Canada.

All this springs from the very fact that this Parliament and the provinces of Canada, and the Parliaments of the overseas dominions, have sent to England their goodwishes, their prayers, hopes and advice on the settlement of the great Home Rule question. So in regard to this matter, on these grounds, and in lieu of these historical facts, I cannot accept the amendment. I was of the opinion that the moment was not opportune for the introduction of this question in the House. Why was I of that opinion? I was not convinced by all the tirades, or all the harangues,—and I am glad the hon. leader of the House used that word last night—which we have listened to on this question. They do not convince me that any constitutional wrong has been committed against any part of the population of Ontario. I was not convinced and am still not convinced that any constitutional wrong was committed by the province of Ontario. But once the question has been introduced it must proceed and we have to solve it one way or the other. I do not understand that regulation 17, or any regulation passed by the Ontario Government, tends to the strangulation of anything. The province of Ontario has a duty to perform towards itself and towards the people which it governs and represents, and that is to see that a full, fair and competent education is given every child. That is the duty of the State, and I hope as far as rules can be made that this object has been in constant view by the governing powers of Ontario whether Liberal or Conservative. The point tried to be made out by the agitators and which they want impressed on the public mind, is that a certain language, German or French, say the French language, has equal rights and privileges with the English language in the province of Ontario, just the same as the English has the same rights and privileges with the French language in Quebec. That is a dangerous theory to propagate. There is no doubt that in the province of Quebec the two languages are constitutionally official; one has the same rights and privileges as the other. That is guaranteed by the constitution. When you come to the province of Ontario, Manitoba or any other province there is no such provision in the constitution, except that the French language shall be co-equal with the English language in all courts under Federal jurisdiction and in the Parliament of Canada. Beyond that the constitution does not go, and why should agitators try to make the people believe that in Alberta, Saskatchewan, Manitoba or elsewhere the French language is on the same footing as the English language is in the province of Quebec. That is the point for statesmen to deal with. Do not lead the public astray when the constitution is against you. That is what is being done, and it is a misfortune for this young country of ours. There is one easy way of getting over it for all provinces, and that is to teach the children the French language instead of dead languages. There is a lurking danger in this question.

I may say there is no greater friend of Canada than I am. I have been brought up

here and love my country; no one can love it better. I want to see it united and prosperous. We are a diversity of races, and who can deny that a day may come when Germans, Poles and other people whom we invite into our midst will become numerous enough to exact a provision for the use of their languages, as is done to-day in Ottawa city and one or two other places by the French minority. There is no disrespect intended, no strangulation of the language in Canada, but we have to maintain the provision as enacted in the constitution, and any one who goes beyond that leads the country astray.

The point has been raised here by several hon. members in regard to separate school inspection. I may be built of different clay from that in the ordinary Christian, but I know and feel and can accept Christ's doctrine whether it comes from a black man, a yellow man or a white man. Christ instituted no differences in race or language, and I would just as soon hear Mass celebrated by a negro as by a white man and more so, because then I would be able to say Christ's religion is progressing. Why do I say this? Simply to state that school inspection under the State should not be governed by colour, race or creed. The State is responsible for the competency and adequacy of education in the school. It is the responsible party. Therefore, to my mind whether the inspector be a Hebrew, a Pole, a Frenchman, an Irishman or a Scotchman makes no difference so long as he has a capacity for his work, and is of a character required by the State, an honest, honourable man, so that I feel that when the inspection of the separate schools here and elsewhere was prevented by certain authorities, they were on the wrong track. The inspector is not called into the school to inspect the morals or religious training of the children. He is there to see that the child is properly and fully instructed. He is there to see that problems of algebra, multiplication, substraction and addition tables are well carried out by the scholar. That is his business, and also to see that the child is provided with sufficient comfort to attend school, with sufficient apparatus to enable him to learn, and especially to see that he or she who is giving instruction is competent to do so. That is the work of the inspector. He has absolutely nothing to do with the inspection of the religious or moral tendency of the child, and if the State undertook to do that I would be the first to rise and say, "No, keep on your ground, you have got enough of it, leave the moral and religious to the spiritual authorities; they can do the inspection with regard to those matters." The State has no right to interfere in matters of conscience, which means moral and religious matters. It is the right of the State, and not only the right but the duty of the State to see that each child is adequately equipped to carry the burden of citizenship when he leaves school.

This plan of education puts me in mind of an old maxim laid down by a celebrated Roman philosopher, or the poet Virgil,—"Timeo hominem unus libra"—the translation of which is "I fear a man of one book." That line has been doing service for the past 3,000 years and is as true to-day as it was when it was enunciated. The philosopher was wise; what did he mean by that? He did not mean a student or scholar or professor who had a smattering of several books, not able to comprehend the full meaning of what he was smattering; but the philosopher said, "Oh, a man who understands and comprehends and is able to analyze one book, that man I fear." Let that be the motto not only for children but for young ladies and young boys and married women, too, instead of reading all the filthy trash that is thrown at them over counters in book-stores and elsewhere.

I now have a word to say in regard to this bilingual question which I am awfully sorry to have to put before this House and before the country. Owing to this bilingual agitation I have been a spectator of sorry scenes and a hearer of deplorable sentiments. It is hard to say, but it is time to call a halt. I have heard, and heard with reprobation, counsels given from the altar to the people in the church and outside, to have no intercourse with other people unless they speak your language. This is an awful situation to contemplate. To my mind it is unchristian in the first place—I would not say, Catholic, Protestant or anything else; it is inhuman to tell one man to have no intercourse with another unless he speaks your language; and that has been done openly, done here in the city of Ottawa, has been preached from the altar. I call the attention of the hierarchy to the case and if the hierarchy has not power enough here at home to, settle or put an end to that disgrace and that outrage upon civilized life, then the question, if it cannot be settled at home, can be settled at Rome. I am treading on grounds that are true, but that will not call the benediction of certain

people down on me, but rather the malediction; but I have been accustomed to malediction. I have had maledictions from the altar and the pulpit through the whole of my political life, and I am still here, thank God. I have lost elections through pastoral letters issued by the late Bishop of Ottawa making it a mortal sin to vote for me. Oh, the facts are there, and yet I am told not to talk about it.

Hon. Mr. CHOQUETTE—That is all bosh.

Hon. Mr. CLORAN—What is all bosh?

Hon. Mr. CHOQUETTE—What you say.

Hon. Mr. CLORAN—Do you deny it?

Hon. Mr. CHOQUETTE—Yes.

Hon. Mr. CLORAN—Then I refer you to Canon Philip.

Hon. Mr. CHOQUETTE—Oh.

Hon. Mr. CLORAN—I refer you to the other parish priests in the county of Russell. I defy you, and I give you the authorities.

Hon. Mr. CHOQUETTE—Let it alone.

Hon. Mr. CLORAN—Leave it alone? That is what I tried to stop. I knew I would call down the maledictions of certain people.

Hon. Mr. CHOQUETTE—Nobody talked about that.

Hon. Mr. CLORAN—No, but I am talking about what is going on with this question.

Hon. Mr. CHOQUETTE—This is not the place to discuss that.

Hon. Mr. CLORAN—Where will we discuss it? In a corner? I think the place to discuss these questions is the open Parliament; open in the minds of the people. This is a thing that involves the national safety, and this is not the place to discuss them? What does the hon. senator mean?

Hon. Mr. CHOQUETTE—Because you are accusing those who cannot defend themselves.

Hon. Mr. CLORAN—I am giving you living witnesses. I have very little more to say with regard to it.

Hon. Mr. CHOQUETTE—You have said too much already.

Hon. Mr. CLORAN—Probably I have, for you; I have said enough to satisfy my own conscience. It is true, and you cannot disprove it. I am opposed to the amendment of the hon. senator from Halifax on the grounds which I have given—that any representative body, has a right to express an opinion. As far as the amendment to the main motion is concerned, once it is introduced it must go on. The amendment to the main resolution does not to my mind involve any sacrifice of principle, or the application of any principle, or the endorsation of any principle. The prayer in the amendment is to all governments in this Dominion of Canada to act on fair and patriotic lines. I would submit that instead of the word "patriotic" it should be that all governments should act on "fair and useful lines."

Hon. Mr. BOYER—We have had a rather strenuous day, having sat from 11 until 1 and as it will take us some time to digest my hon. friend's harangue as he calls it, I beg to move the adjournment of the debate until Tuesday next.

Several hon. MEMBERS—Hear, hear.

Hon. Mr. DAVID—I have no objection to the adjournment, but not until Tuesday next. I hope that the House will not consent to that.

Hon. Mr. BOYER—I cannot be here tomorrow; Monday is a holiday; Friday is a holiday; Saturday we will not sit.

Hon. Mr. CHOQUETTE—Surely the hon. gentleman is not serious. I quite agree that it may take a day or two to digest the speech that we have just heard, but I think by to-morrow we will have had an opportunity to think over it and then continue the debate. This is a question on which we should come to a decision. It is not fair to the mover of the motion or the amendments to let these three motions before the House remain on the orders without a decision. Hon. gentlemen ought to stand like men and say they are for or against them. That is the stand I take. I do not think it is fair to the senator. It would be a joke, a farce, to adjourn this debate till next Tuesday. Those who oppose this motion sincerely have a right to place themselves fairly before the country.

Hon. Mr. BOYER—My motion is before the House. It is my privilege to move it. If I am defeated so much the worse.

Hon. Mr. DAVID—I move in amendment that the debate be adjourned until tomorrow. I think on a point of order my hon. friend has already spoken and he cannot make that motion now.

The SPEAKER—The hon. member can speak since the motion of the member for Halifax has been made.

Hon. Mr. CLORAN—I suggest that instead of moving the adjournment of the debate until to-morrow morning at 11 o'clock that it be adjourned until 3 o'clock. Even then you will not have reports of the debate. They are all after my speech; they want to digest it. They cannot digest it on cod liver oil.

The Speaker then put the amendment to adjourn the debate until to-morrow, and declared that in his opinion the yeas had, it. The yeas and nays being called for, the amendment was declared lost on a standing vote, yeas 18, nays 22. The main motion to adjourn the debate until Tuesday next was then adopted on a vote of contents 24, non-contents 16.

EXTENSION OF TIME TO INSURANCE COMPANIES BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (79) An Act to authorize certain extensions of time to Insurance Companies.

(In the Committee.)

Hon. Mr. BELCOURT—I do not understand the necessity for this Bill. I was not here when it was read the second time.

Hon. Mr. LOUGHEED—The attention of the Department of Finance had been called to the fact that there were certain outstanding insurance charters for which a license had not been issued on account of their not having made the necessary deposit for the purpose of getting a license, and it was thought at this particular time that a general Act authorizing an extension of the time might be passed, and thus obviate the necessity of those companies coming to Parliament for special legislation to extend the time.

Hon. Mr. BELCOURT—Then the effect of the Act will be that certain insurance companies which are not entitled to a renewal of their license because they have not completed their deposits, will be entitled to go on and do business without their license.

Hon. Mr. LOUGHEED—Oh, no, they must pay a certain fee to the Government, and the Superintendent of Insurance will have the right to extend the time for the payment of the deposit until after the next session of Parliament.

Hon. Mr. BELCOURT—That is, extend the time for the payment of the fee only?

Hon. Mr. LOUGHEED—Yes, to extend their charter powers.

Hon. Mr. BELCOURT—But that cannot be done by the Superintendent of Insurance.

Hon. Mr. LOUGHEED—Under this Bill it will.

Hon. Mr. BELCOURT—I am afraid I do not understand this Bill at all.

Hon. Mr. LOUGHEED—If my hon. friend will read the section he will see that instead of coming to Parliament for a special Bill and asking for an extension of time—usually for two years, as we give it,—a company would have a right, under this Bill, to go to the Superintendent of Insurance and upon the payment of $100 secure the right to extend their time until after the next session of Parliament.

Hon. Mr. BELCOURT—My hon. friend and myself are not at one. As I understand it, the license is issued by the Superintent of Insurance if the companies comply with the provisions of the Act. A license is not issued by Parliament. Parliament has nothing to do with the issuance of licenses. Parliament prescribes in the Act the conditions under which the license may issue, and on those conditions being performed a license is issued by the Superintendent. I cannot understand it at all.

Hon. Hr. LOUGHEED—I am speaking of companies which have not completed their organisation and have not paid in the necessary amount under the Insurance Act for the purpose of obtaining a license.

Hon. Mr. BELCOURT—I understand now.

Hon. Mr. BEIQUE—I am not sure that the Act is so worded as to carry out that object. I have not looked into the question and do not desire to express an opinion, but glancing at the clause I am in doubt. It may be improved, and we will see if it can be at the third reading. Let me call the attention of the honourable leader to this.

1. Any insurance company whose power to apply for a license under the provisions of "The Insurance Act, 1910," will expire before the end of the next session of Parliament may obtain an extension of such power—

—To apply to the extension of the license?

Hon. Mr. LOUGHEED—No, not the extension of the license.

Hon. Mr. BEIQUE—The issue of the license?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BEIQUE—But if the charter has expired—I would have to refer to the Insurance Act—what I am afraid of is that it is stated in the Model Act which is annexed to the Insurance Act, which I have not got before me at this moment, that the power of the company will lapse by the expiration of a time stated in the Act. If it is so, then this could not prevent the lapsing.

Hon. Mr. LOUGHEED—I will direct the attention of the Insurance Department to the point and I will not take the third reading to-night. I move that the Committee rise and report the Bill.

Hon. Mr. BOSTOCK—Do I understand my hon. friend will deal with that question on the third reading?

Hon. Mr. LOUGHEED—Yes, if there is anything in it. I will look into it in the meantime.

Hon. Mr. TAYLOR, from the Committee, reported the Bill without any amendment.

CRIMINAL CODE AMENDMENT BILL.

IN THE COMMITTEE.

The House resolved itself into a Committee of the whole on Act (74), An Act to amend the Criminal Code.

(In the Committee.)

On clause 2,

2. The Criminal Code, chapter 146 of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section 75:—

"75a. Every one is guilty of an indictable offence and liable to two years' imprisonment who incites or assists any subject of any foreign state or country at war with His Majesty to leave Canada, if the circumstances of the case do not exclude the possibility that assistance to the enemy is an intended object in his so leaving Canada, and if such inciting or assisting do not amount to treason."

Hon. Mr. DAVIS—Would it not be better to insert the word "knowingly" there? It seems to me that is pretty stringent. A man might assist without knowing it, and be liable to imprisonment for two years.

Hon Mr. LOUGHEED—The necessity for this amendment has grown out of the prosecution of a case in Toronto which came before the Chief Justice of the Exchequer Division, known as the Nerlich case. Hon. gentlemen will see that the onus is placed upon the person assisting any subject of a foreign state or country at war with His Majesty, to leave Canada, the onus being upon such a person to establish his innocence. It seems to me it is very desirable legislation. If a citizen of Canada assists a subject of a foreign state or country at war with His Majesty to leave Canada for an unlawful purpose he will have the opportunity of showing that he did not do it for that purpose, and he may exclude by his evidence any such presumption.

Hon. Mr. BELCOURT—I do not want to be hypercritical, but this seems to me to be very extraordinary, perhaps not the provision itself, for I quite see the necessity of something of that kind, but the language used is going to be very perplexing to any judge who has to interpret that law. If I had to interpret that on the bench I do not know what I would do; I would have to call in experts on language, grammar, dictation and everything else.

Hon. Mr. LOUGHEED—What would my hon. friend suggest to meet that situation?

Hon. Mr. BELCOURT—I do not know; I think it would take me some time to work out the tangle; I do not think I could do it while on my feet this time. Why is it necessary to say "If such inciting or assisting do not amount to treason"?

Hon. Mr. LOUGHEED—Because that is another offence.

Hon. Mr. BELCOURT—Then why is it necessary to mention it?

Hon. Mr. LOUGHEED—It is less than treason. It might be treason felony, but it creates an offence which is not treason, a lesser offence than treason.

Hon. Mr. BELCOURT—I quite follow that, but even at that I do not see any necessity of adding that phrase.

Hon. Mr. BIEQUE—That part of the clause would be clear enough. I thought the hon. gentleman was directing attention to words which I fail to apprehend the meaning of. What do these words mean:—

If the circumstances of the case do not exclude the possibility that assistance to the enemy is an intended object in his so leaving Canada.

Hon. Mr. LOUGHEED—If his conduct excludes the possibility of such assistance to the enemy, then he is not guilty; but he must by evidence exclude that possibility. That, when you consider it, seems to me to be fairly simple, that is to say, the charge is laid against the person charged with a particular offence, then the onus is on him to show that his conduct excludes the possibility of his having any such object in view.

Hon. Mr. POWER—That is a very unusual sort of provision.

Hon. Mr. LOUGHEED—It is an unusual offence.

Hon. Mr. POWER—I do not know whether an interpretation that might be given to this clause has occurred to the hon. leader of the House. Suppose that a party of Germans—as they are the people we are at war with just now—had got into Canada, and that these Germans were discovered, and our militia chased them with fixed bayonets, would it not be proved that the militiamen were inciting and assisting the subjects of a foreign state to leave the country? The circumstances of the case would not excuse the possibility that these Germans were being assisted out of the country. The hon. gentleman had better be careful.

Hon. Mr. LOUGHEED: If the judge administering the Act had the sense of humor with which my hon. friend is seized at present, I could understand his dealing with it in very much the same way, but I think the prosecution of a charge of this kind would assume a more serious phase than that which my hon. friend attributes to it.

Hon. Mr. BEIQUE—Suppose that any party were prosecuted under this clause it would be open for him to claim that his object in inciting the person to leave the country was on account of the condition of the family of that party in Germany, and he would be entitled to ask for a commission for the purpose of proving that. It seems to me it would be defeating entirely the object of the clause if we adopted a wording of that kind. It is too elastic.

Hon. Mr. LOUGHEED—Can my hon. friend suggest anything more appropriate?

Hon. Mr. BEIQUE—Better reserve that clause.

Hon. Mr. LOUGHEED—All right.

Hon. Mr. BELCOURT—I understand it has been made an offence for any foreigner whose country is at war with Canada to leave Canada. I believe to-day that no Austrian, German or Turk who is in Canada can leave the country under any conditions, whether it is avowedly for the purpose of helping the enemy or not. I think that is the case this is intended to cover. Why not make it an offence for any one to assist or incite any subject to leave Canada, etc., and strike out the following words.

Hon. Mr. POWER—If this clause becomes law I think its operation will become very unsatisfactory. You say, "If the circumstances of the case do not exclude the possibility that assistance to the enemy is an intented object in so leaving Canada", what condition of things would exclude the possibility that assistance to the enemy was the intended object? This proposition of proving a negative on the accused is a most unusual course to take in British law, criminal law particularly. If there is prima facie evidence that the object of the party is to lend assistance to the enemy that is enough. But you cannot get any case where the circumstances exclude the possibility that assistance to an enemy is the intended object of his so leaving Canada. The German who is here and who wishes to get away may not let the Canadian know what his intention is, but his intention may be to get back to Germany or go to the United States and tell lies on behalf of Germany.

Hon. Mr. LOUGHEED.—I certainly cannot appreciate the position taken by the hon. gentleman in regard to this proposed clause at all. I thought it was so well recognized that giving any assistance to an alien enemy—that is a subject of a foreign country at war with Canada—was in itself so manifest an act approaching treason that there would be no question as to the culpability of the person so inciting or assisting the alien enemy to leave Canada. Then the question arises, recognizing that this is an offence, it becomes merely a matter of evidence rather than of the offence. It merely makes provision for establishing a charge against the person accused. It throws the onus of proof upon him. It seems to me that his conduct must exclude the possibility—and those are the words used—of his having feloniously committed the act.

Hon. Mr POWER.—It is an exceedingly arbitrary and tyrannical enactment.

Hon. Mr. BELCOURT: We all agree with what my hon. friend has said. But what has occurred in Canada with reference to aliens? Take those that are interned at Cochrane, not really prisoners but under military surveillance, and cannot leave the country. No foreigner who is in Canada to-day can leave the country without an exeat. Is that not sufficient? If that party tried to leave Canada he is liable to criminal prosecution, and if anybody assists him to leave Canada, he is subject to criminal prosecution also. I repeat what I said a moment age, if the hon. leader simply

provide that every one is guilty of an indictable offence who incites or assists any subject of any foreign state or country at war with Great Britain to leave Canada, and let the section stand at that, it will answer, but if he adds to it the legislation will be destroyed.

Hon. Mr. LOUGHEED—That is the very difficulty we are up against. That throws the onus on the prosecution.

Hon. Mr. BELCOURT—No, it is a question of facts, if he incites or assists.

Hon. Mr. LOUGHEED: Then would not the onus be on the prosecution to establish that? The presumption of law is that a party charged is innocent until he is proven guilty.

Hon. Mr. BELCOURT—No, this is the bald fact. whether with a good intention or bad intention does not matter. The fact of inciting any person is an effence.

Hon. Mr. LOUGHEED—But you have to prove the offence.

Hon. Mr. BELCOURT—Yes.

Hon. Mr. LOUGHEED—And the motive?

Hon. Mr. BELCOURT—No. That he is an alien and somebody has assisted him in leaving Canada.

Hon. Mr. POWER—I quite agree if you strike out two or three words you can make it all right.

Hon. Mr. BEIQUE—If those words are left in the clause it will be an impossibility to secure a conviction, because it would be open to the accused to merely show that there was a possibility of his assisting the alien for another purpose than helping the enemy. Suppose the accused is prosecuted under this clause what will prevent him summoning the person that is assisted to show that he assisted him to go to the States or any neutral country not at war with Canada, and that he assisted him for some other reason than helping the enemy, and if you give him the right to establish that you would have to give him the opportunity of adducing evidence.

Hon. Mr. BELCOURT—How is the judge going to decide what the possibility is? I move to strike out all the words after "Canada".

Hon. Mr. LOUGHEED—I prefer to have the clause stand until I see the Minister of Justice.

Hon. Mr. BELCOURT—The hon. member will submit the amendment to the Minister of Justice?

Hon. Mr. LOUGHEED—I will. I may say the amendment would leave the law as it is to-day. It does not remedy the difficulty that arose in the case to which I refer.

Hon. Mr. BELCOURT—I read the Nerlich case, and I doubt if this clause will solve the difficulty which arose in the trial.

The clause was allowed to stand.

On clause 3.

3. The following section is inserted immediately after section 436:—

"436a. Every person is guilty of an indictable offence and liable to imprisonment for two years, or to a fine not exceeding five thousand dollars, or to both imprisonment and fine, who knowingly sells or delivers, or causes to be sold or delivered, to His Majesty or to any officer or servant of His Majesty, any defective military, militia or naval stores of any kind or description, whether such stores are for His Majesty in the right of His Government of Canada, or in the right of any other of His Majesty's dominions, or who in any way commits any act of dishonesty, fraud, or deception upon His Majesty or any of His Majesty's officers or servants in connection with the sale or lease or purchase or delivery or manufacture of such military, militia or naval stores.

Hon. Mr. BOYER—Could not this clause be made to date from the beginning of the war? Judging from the evidence before the Public Accounts Committee, certain frauds have been perpetrated upon the country. The defence will be that those frauds were committed before the law was enacted. To-day we passed a Bill with a retroactive clause.

Hon. Mr. DAVIS—I should think when the minister was amending the Criminal Code—that fearfully and wonderfully made document—that he might have dealt with that subject.

Hon. Mr. BELCOURT—A proposition such as that just made by the hon. member would be perfectly outrageous in the eyes of our brothers. The idea of making a man a criminal by ex post facto legislation is absurd.

Hon. Mr. WATSON—Does the hon. member not think that the imprisonment should be for longer than two years, and the penalties for a larger amount than $5,000? I should think the imprisonment should be five years and the fine $10,000. I think the

offences which have been exposed recently in the other branch of Parliament are worse than treason.

Hon. Mr. BELCOURT—On the other hand there is a variety of offences provided for by this section and some of them might be trivial. Take for instance the sub-clause "Or who in any way commits any act of dishonesty." That might not be a serious matter.

Hon. Mr. POWER—I think it will do as it is.

Hon. Mr. LOUGHEED—The word "such" in the latter part of that clause should be struck out. The Law Clerk called my attention to it, and I think he is right.

Hon. Mr. BELCOURT—I think we should retain the word in the clause.

Hon. Mr. LOUGHEED—Then it is confined to what is already enumerated, and it is very desirable it should be extended.

Hon. Mr. BELCOURT—It is restricting it if you take it out.

Hon. Mr. LOUGHEED—No, the word "such" restricts it to such military stores as have been described. If you strike it out it applies to all military stores.

Hon. Mr. POWER—I think it would be a mistake to strike it out.

Hon. Mr. LOUGHEED—Then we will leave it.

The clause was adopted.

On sub-clause 2.

2. If any offence referred to in this section is committed by a body corporate, every director, officer, agent and employee of such body corporate who has knowingly taken any part or share in such fraud, dishonesty or deception, or who knows or had reason to suspect that such fraud, dishonesty or deception would be or was being committed, or knows or had reason to suspect that such fraud, dishonesty or deception has been committed, and does not at once inform His Majesty thereof, shall be liable as well as the body corporate to the penalties imposed by this section in all respects as if such offence was committed by said directors or other persons, and every such body corporate, director or other person convicted of such offence shall be thereafter incapable of contracting with His Majesty or with any of His Majesty's officers or servants or of holding any contract or office with, from or under him or them, or of receiving any benefit under any contract so made."

Hon. Mr. BEIQUE—This clause states that if a director, officer or agent of a body corporate knows or has any reason to suspect that fraud or dishonesty was being committed and does not at once inform His Majesty, then he could be punished. The effect of using those words would be that the director may commit the offence but if he tells about it he would not be punished.

Hon. Mr. BELCOURT—Those words are connected with what precedes.

Hon. Mr. LOUGHEED—My hon. friend will see that he may not be a party but he may know of it, and he might purge himself of that guilty knowledge.

Hon. Mr. DAVIS—Will this be retroactive?

Hon. Mr. LOUGHEED—No.

Hon. Mr. DAVIS—Will the Government be able to get after those gentlemen who may be shown to have committed offences against this country? No use locking the door after the horse has been stolen.

Hon. Mr. LOUGHEED—It would be a most extraordinary thing to make a criminal Act retroactive.

Hon. Mr. WATSON—The frauds which have been perpetrated have been the cause of the introduction of this clause?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. WATSON—I am not a lawyer, but could a person be prosecuted under this measure for an offence committed a month ago?

Hon. Mr. LOUGHEED—No.

The clause was adopted.

Hon. Mr. DAVIS—What was the object of cutting out clause 357a as it appears in the House of Commons Bill?

Hon. Mr. LOUGHEED—It was struck out by the House of Commons. I cannot give any information with regard to that.

Hon. Mr. DAVIS—I think that clause should be embodied in this Bill.

Hon. Mr. LOUGHEED—Then the hon. member had better give notice.

Hon. Mr. DAVIS—I give notice that tomorrow I will move that the following clause be added to the Bill:—

"357a. Any person who sells or agrees to sell land or any interest in land to which he knows he has not a good title free from encumbrance, and receives the purchase money or any part thereof and without lawful excuse does not apply the money so received by him in procuring a good title or in reduction or discharge of encumbrances against the said

land or interest in land, is guilty of an indictable offence and liable to three years' imprisonment.

"2. Where such sale or agreement for sale is made by a body corporate, every director, officer, agent and employee of the company who knowingly takes part in any offence within the provisions of this section shall be liable to the penalty hereinbefore prescribed."

On clause 5.

"508b. Any person who makes or causes to be made any change in or suppression of the title, or the name of the author, of any dramatic or operatic work or musical composition in which copyright subsists, or who makes or causes to be made any change in such work or composition itself without the written consent of the author or of his legal representative, in order that the same may be performed in whole or in part in public for private profit, shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding five hundred dollars, or, in the case of a second or subsequent offence, either to such fine or to imprisonment for a term not exceeding four months, or to both."

Hon. Mr. LOUGHEED—In introducing this Bill I pointed out to the House that an amendment to the criminal law against the infringment of copyrights was brought down to this House from the Commons in 1908, and my recollection is that the amendments were stricken out of the Bill. The law of copyright in Canada has been in a somewhat different situation to what it has been in Great Britain and the United States, and it becomes a question for us to consider whether we shall enforce by the criminal law the infringement of a foreign copyright.

Hon. Mr. THOMPSON—Is that a Canada copyright?

Hon. Mr. LOUGHEED—No, it has relation to foreign copyright. At the present time the owner of a copyright in the United States, or the owner of a copyright in Great Britain or in any foreign country would have the right to come to Canada and make use of the machinery of our civil courts to restrain any infringement of those copyrights.

Hon. Mr. THOMPSON—Can he get a copyright, by application in Canada, for a dramatic or musical production? I do not understand why, if he could do so, it would not be like the Patent Law. If he could get a copyright in Canada I do not see why he should not do it.

Hon. Mr. LOUGHEED—In 1869 the United States passed a copyright Bill of a very wide description, but retained in it the old clause about manufacturing in the United States. In 1911 the Imperial Parliament passed a copyright Act which consolidated the whole law of copyright, at the same time extending it, and under this Act the self-governing colonies were given very wide powers of registration. Honourable gentleman will doubtless remember that for many years the Overseas Dominions were deprived of passing copyright legislation as against Imperial legislation. The Imperial Parliament claimed to control exclusively the Law of copyright throughout the Empire, but that situation was changed in 1911. Great Britain passed its own copyright law, leaving to the Overseas Dominions the right to legislate upon the subject themselves. In 1911 the then Minister of Agriculture introduced a copyright Bill which was read a second time, and was partly considered in committee, but was not further proceeded with, nor has the Government since that time reintroduced the measure. The result is that the law in Canada remains unchanged, although Parliament has, now, power to legislate when it sees fit. The situation would be this: that if a person in Canada took out copyright he would not find upon the Criminal Statutes of the United States any legislation that would be reciprocal with this which we have proposed unless he went to the United States, took out copyright there, and published his copyright within the boundaries of that country. The question is as to whether we shall adopt a policy of placing upon our Statute book a criminal restriction that would not be found, say, upon the Statute Books of the United States with reference to a Canadian copyright, because the operation of this law will be chiefly to the advantage of the United States' copyright owner. I do not express any opinion one way or the other on this part. I am trying to put hon. gentlemen in possession of the facts as closely as I can. The question of copyright has been an involved subject in Canada for many years. We have been legislating for 25 years on the subject without yet being able to determine what we should do or how far we should go. Our position has been nebulous up to the present time, and the question is whether we shall give to foreign copyrights the advantage, not only of our civil courts, but of our Criminal courts, in enforcing their rights against the people of Canada when there is not to be found upon the statute books of the United States reciprocal legislation such as they expect us to pass.

Hon. Mr. BOSTOCK—Would the hon. gentleman state what is the position between Great Britain and the United States?

Hon. Mr. LOUGHEED—I could not say whether Great Britain has the manufacturing clauses in its legislation the same as in the United States. My impression is that it has, however I am not positive on that subject.

Hon. Mr. DANDURAND—I want to take issue on some statements my hon. friend has just made. The international convention at Berne to which Great Britain subscribed has been held by the court of appeal of the province of Quebec to be binding on Canada, and a party sued under it for violating a copyright was condemned by the superior court.

Hon. Mr. BEIQUE—Not criminally.

Hon. Mr. DANDURAND—No, but he was condemned civilly. The question arises should we strengthen and protect the rights of the parties who, under the International convention at Berne, have rights here recognized by the civil court? Should we strengthen that right by making a penal offence of the violation of the copyright. My hon. friend has treated the question exclusively from the United States point of view. I want to draw his attention to the fact, that the plays that are mostly presented in Canada come from Great Britain and France. Thousands of them are played, and the reason why this enactment should be adopted by this Chamber, as it has been adopted by the House of Commons, is that civil recourse is absolutely illusory.

Hon. Mr. LOUGHEED—You can get an injunction.

Hon. Mr. DANDURAND—Because of the fact that the owners of the comedies and dramas are across the Atlantic, a suit by an alien is surrounded with many conditions—at all events in my province—which represent difficulties to be overcome and and delay to be met, such as the procuring of a power of attorney and the giving of a bond to guarantee costs.

The trespassers know all the tricks of the business and they hold in utter contempt the rights of the authors. The owners of theatres who are systematically violating the law replace a play each week and against a single theatre owner forty suits would have to be taken each year. If a suit is taken and a judgment obtained after a delay of three to six months, the owner has transferred his lease to a prêtenous and nothing is found upon which to collect the judgment. Again the title of the play will be altered and the play itself disfigured and in order to establish the violation of the copyright a shorthand writer will have to go and take down the whole play before risking a suit.

Thousands of dramas and comedies are played every day under such conditions throughout the land with impunity and Canada's fair name is held in contempt in European intellectual centres.

In a book published in Paris, in 1910 "La propriété artistique et littéraire" by Léon Poinsard who is the assistant director of the International Bureau for the protection of the intellectual and artistic copyright at Berne, speaks of Canada in the following terms:

> Unhappily the difficulties and costs of procedure give but an illusory protection. The intellectual property is very little respected in Canada in spite of the efforts of an important group of men who place justice and equity above prejudices and private interests.

In order to secure the authors in their rights a penalty must be imposed against those who despoil them.

Such has been the action of most countries. It will suffice to name Great Britain, France and the United States.

There is a civil recourse against one who crosses the property of his neighbour even if he does so without an evil intent. It suffices that he does trespass against the will of the owner of the land and there is also a penal action against him. Should we hesitate to edict a penalty against the man who deliberately appropriates unto himself the property of his neighbour and uses it for his own private gain to the damage and loss of the owner?

This offence is a serious one in all countries, and it seems to me that it is time that Canada should move in this matter. British authors are complaining, French authors are complaining and it is not a small matter. Thousands and thousands of plays are being stolen throughout the whole of Canada without any proper protection being given the authors, and I think we owe them such protection as will be effective. For this reason I intend to vote for this legislation, which my hon. friend seems to support with a very faint heart. I do so with all the more vigour because similar legislation was brought before this Chamber in 1909, I think, which had been drafted by Sir Allen Aylesworth, and it happened that the late Sir Richard Cartwright, who led the House, was absent at the moment when the Bill came to the Senate. I

had been given no explanation as to the reason for the legislation, and could not defend it properly, though it was not attacked very violently; but as there were no sufficient reasons given why that legislation should pass, those two clauses now before the House were dropped. I feel a certain share of responsibility in the fact that this legislation was not put on the Statute Book in 1909 or 1910, and for these reasons I think, that the explanations I have given to this Chamber will satisfy the majority of members who are within my hearing and that I will support this legislation and ask that it be voted.

Hon. Mr. LOUGHEED—So that there may be no misapprehension in the minds of hon. gentlemen, I might say that I informed the Minister of Justice when this Bill was put in my hands that I had an open mind on this question of copyright and that I would not consider myself committed to the clauses until I heard the discussion in the Senate upon the subject, as to what course I should pursue in regard to these proposed amendments.

Hon. Mr. BEIQUE—I think the hon. leader of the Government is to be commended for having very frankly invited us to consider the important question which he has raised.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BEIQUE—I am under the impression that the hon. gentleman from Delorimier exaggerates the situation. I happen to know that of late years an association of artists and writers, has been formed in Europe, and that they are represented in Canada by Canadian agents who are the guardians, and very strict guardians, of their rights. In Quebec, Montreal, and other cities, if any reproduction is made from any copyrighted books in a newspaper they are called to account immediately; therefore I do not think there is the danger that has been mentioned by the hon. gentleman, that on account of distance their rights may be violated without giving them an opportunity of having their recourse.

Hon. Mr. DANDURAND—Will the hon. gentleman allow me to draw his attention to the fact that the case he mentions of the reproduction of books or novels in newspapers is not covered by the legislation?

Hon. Mr. BEIQUE—I know that, but I say that the authors of dramas, or operas, or of musical compositions form part of the Association to which I refer, and that they are actually represented in Montreal, Toronto, Ottawa, in fact in all the cities of the Dominion, and that therefore they have the means of protecting their property, so that I do not think they are entitled to as much sympathy as the hon. member has stated. However, I have an open mind on the question and I would like to be informed as to the statement which has been made by the hon. member, as to whether there is like legislation in Great Britain, in the States, in Belgium, in the different countries of Europe. It would go a long way to satisfy me as to the propriety of putting this legislation on our Statute Books. If there is no such legislation, then I would expect that the Association through which this Congress that the hon. member has referred to was held, who have taken the means of protecting authors of books or musical compositions, would take such action as would tend to the adoption in the different countries concerned of like legislation. Otherwise I think it would be placing Canada at a disadvantage if we put on our Statute Book a clause of that kind when Canadian owners of copyrights would not have the same protection in European countries.

Hon. Mr. BELCOURT—Somebody has to begin.

Hon. Mr. BEIQUE—The Berne Convention was representative of a great number of different countries, and it was the resolution adopted by them which led to the adoption of the Copyright Act in Great Britain and in the several countries concerned. I think we should proceed in the same manner so that we would have legislation of the same nature in the different countries concerned. I invite the hon. member to let us have the text of the legislation which is actually in force in European countries.

Hon. Mr. DANDURAND—I was in the Committee in the other House when the question was discussed, and I myself read (after it had been cited from the Statute Book of Great Britain), Chapt. 46, Article 11, of 1 and 2 George V., of which this present enactment contains the essence. New Zealand on the 22nd November, 1913, adopted a similar Act.

Hon. Mr. LOUGHEED—A similar Act to what? When my hon. friend speaks of an Act what does he mean by that?

Hon. Mr. DANDURAND—An Act making the violation of copyright a criminal offence. In France the penal code, articles 428 and 429, is to the same effect, without withdrawing the Civil recourse which articles 1362 of the Civil Code gives. The United States have adopted, by Chapter 320, an Act to amend the Acts respecting copyright, which makes the violation of a copyright a penal offence. Those are the citations which were made in the other House, and which I take from page 263 of the Hansard.

Hon. Mr. LOUGHEED—Does my hon. friend know whether they would extend to the infringement of foreign copyright?

Hon. Mr. DANDURAND—I have not read the Statute of the United States, but I have read the Statute of Great Britain, which bears exactly on the matter which is now under discussion.

Hon. Mr. CLORAN—Do I understand that the Parliament of Great Britain makes it a crime for any of its subjects to infringe a copyright of a foreign country?

Hon. Mr. DANDURAND—Yes.

Hon. Mr. CLORAN—Then the British Parliament has done an act which is not consonant with fair play and justice.

Hon. Mr. DANDURAND—I would not call it a copyright of a foreign country; it is an international copyright, to which all the countries of the world have adhered, and Great Britain has adhered, and has bound Canada, according to a judgment of the Court of Appeal written a few years ago.

Hon. Mr. CLORAN—That I take most serious exception to Great Britain cannot bind Canada to anything by its legislative acts, copyright or otherwise. You may have all the Berne Conventions and all the Berne Congresses in regard to international law, but they are of no avail unless sanctioned by actual legislation of this Parliament. Has the Berne Convention been sanctioned and endorsed and adopted by the Parliament of Canada? I ask the hon. leader of the House.

Hon. Mr. LOUGHEED—No, Canada is not a party to the Berne Convention.

Hon. Mr. CLORAN—Have any regulations or conventions adopted by that congress been endorsed and put into our legislation?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CLORAN—Well, if they have not, they are a mere scrap of paper, and I do not see how any Canadian judge could hear a case based on a foreign law as against a citizen of Canada. The thing is absurd; the thing is unnatural. If the conventions of the Berne Congress had been accepted by the Parliament of Canada and put on our statute book, then the citizens of Canada would be liable; but to stand up here in a free parliament and ask Parliament to be dominated by foreign influences, whether sanctioned by the British Parliament or not, is beyond my comprehension. It is belittling the standing of the Canadian people. If a copyright is taken out in France, or Germany, or Italy, or Spain, and they want that copyright protected, let them come over to Canada and take out copyright here; otherwise this Parliament has no right, no power, to condemn either civilly or criminally a man who undertakes to reproduce a play, or a novel, or any of the subjects coming under the copyright. Foreign laws have nothing to do with Canada unless sanctioned, endorsed and accepted by this Parliament; and I really cannot understand the force of those demands that Canada should recognize foreign legislation without being officially accepted here in Canada.

Hon. Mr. LOUGHEED—In the absence of such information as would be desirable, I move that the committee rise, report progress and ask leave to sit again.

The motion was agreed to.

Hon. Mr. DANIEL, from the Committee, reported progress and asked leave to sit again at the second session to-morrow.

The Senate adjourned until 11 o'clock a.m. to-morrow.

THE SENATE.

Wednesday, March 31, 1915.

The SPEAKER took the chair at Eleven o'clock.

Prayers and routine proceedings.

PURCHASE OF THE NORTH RAILWAY.

INQUIRY.

Hon. Mr. CHOQUETTE inquired of the Government:

1. Has the Government of Canada purchased or taken over the undertaking known as "The North Railway"?
2. If so, when, for what price, and upon what terms?

Hon. Mr. LOUGHEED—The answers are:

1. Yes. That portion from Montreal to a juncture with the Transcontinental railway.

2. Agreement was signed December 23, 1914, and cheque was issued December 24 for $250,000, the company undertaking to settle all outstanding claims and turn over all information relative to surveys and all field notes, plans, etc., in connection therewith, together with office furniture, instruments, etc. The company had a subsidy of $6,400 per mile: this subsidy upon transfer to the Government, lapses.

THE OCEAN LIMITED TRAIN.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

When they will inaugurate the train called the "Ocean Limited" running between Halifax and Montreal?

Hon. Mr. LOUGHEED—It is intended that the train called the Ocean Limited, running between Halifax and Montreal, will be restored May 2, 1915. So that honourable gentlemen from the Maritime Provinces returning home after the prorogation of Parliament may possibly have an opportunity of travelling on the Ocean Limited.

THE RULES AND STANDING ORDERS OF THE SENATE.

MOTION.

Hon. Mr. POWER moved that the two following Rules or Standing Orders be adopted:

25a. No question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative, or negative, unless the order, resolution or vote on such question or amendment has been rescinded.

25b. An order, resolution or other vote of the Senate may be rescinded; but no such order, resolution or other vote may be rescinded unless seven days' notice be given and at least two-thirds of the senators present vote in favour of its rescission: Provided that, to correct irregularities or mistakes, one day's notice only shall be sufficient.

He said: The first part simply expresses the parliamentary practice. We discussed the matter referred to in the second paragraph at some length and perhaps the House will pardon me if I reserve what I have to say until some objection is raised.

The SPEAKER—I suppose we should divide these paragraphs.

Hon. Mr. POWER—No, they should go together, because they depend on each other.

The SPEAKER—They can be voted on separately.

Hon. Sir MACKENZIE BOWELL—Does not the rule of the Senate provide that you cannot introduce the same subject twice during the same session?

Hon. Mr. POWER—That rule applies to Bills only. It does not apply to resolutions or motions.

Hon. Sir MACKENZIE BOWELL—The object of this change, then, is to put motions of any character, so far as reconsideration is concerned, in the same position as Bills.

Hon. Mr. DANDURAND—We have a rule by virtue of which a resolution may always be reconsidered, or a Bill until it is disposed of, but this proposed amendment does not affect that rule.

The first paragraph was adopted.

On the second paragraph.

Hon. Mr. CHOQUETTE—I have already objected to the term of seven days provided for in the paragraph. I move to substitute 5 for 7.

Hon. Mr. POWER—I accept that amendment.

The amendment was agreed to.

Hon. Mr. CHOQUETTE moved that the paragraph be further amended by striking out "two-thirds" and replacing it by "majority."

Hon. Mr. POWER—That would never do.

Hon. Mr. DANDURAND—I am disposed to favour the two-thirds majority, because after the House has decided any question it would not be conducive to good legislation to have the decision reversed by a majority of less than two-thirds. There would be no end to discussion of any question if, by obtaining the presence of two or three senators who were absent when the Senate voted upon it, that decision could be reversed by a bare majority.

Hon. Mr. CHOQUETTE—The general rule of Parliament is that all questions are decided by a majority. Take the case that my hon. friend has just suggested, where a decision has been rendered on a question in the absence of some senators who, if they had been present, would have decided it the other way. Why not, after giving due notice, take the sense of the majority. A decision rendered by His Honour

the Speaker yesterday was reversed by a majority of the House then present, I am sure if there could be a reconsideration of that vote to-day, it would be reversed. I mention that as an instance illustrating why it would be unjust to require a two-thirds majority to decide any question. A question comes up and many senators are out of the House, not expecting a vote to be taken upon it, and a decision is rendered by a bare majority of the senators present, which might not be a majority of the whole House. If five days' notice could be given that the question would be reconsidered, every senator would have an opportunity to be present and record his vote, and we would there have the sense of the majority of the House. Should the former decision be reversed, it would be evidence that it was not the view of the majority of the House. Is not that a better way to ascertain the real opinion of the House than to require a two-thirds majority?

Hon. Mr. DANIEL—I think that some such regulation as proposed by this motion should be adopted by the Senate. The hon. gentleman who has just spoken says that the majority should rule. So it should. But what majority? I take it the majority to rule is the majority of the whole Senate. We should legislate, in so far as we are able, with a view to have some finality to the decisions of the Senate, and therefore we should not object to a two-thirds majority to reverse a decision of the House: or if you object to that, then it would be better to require a majority of the whole Senate. On many occasions, perhaps, that would be a far larger vote than a vote of two-thirds present. I am quite satisfied to vote for the resolution as it stands, and avoid the possibilty of the Senate one day passing resolutions and the next day rescinding them.

Hon. Mr. WATSON—I would just say to my hon. friend behind me (Hon. Mr. Choquette) that there is no possible chance of the House being taken by surprise on the original motion being put, because it is on the Orders of the Day, and we have the notice, and if those gentlemen who do not attend the duties of the House, and come here some days after the business has been transacted by the senators who remain here, and then ask to change the verdict of the House, they should be penalized in some way by providing for a two-thirds vote. You might get a snap verdict in asking to rescind or change the opinion of the House by a majority vote. We do our business according to the printed notices of the House. We have our bill of fare and the gentlemen who are not here should not complain if things to which they object happen when they are not here.

The amendment was declared lost on a division.

The main motion as amended was agreed to.

The SPEAKER—Do I understand now that a decision on any question may be rescinded at any time?

Hon. Mr. POWER—Yes, with five days' notice.

THIRD READINGS.

Bill No. 93, An Act to amend the Judges Act.—Hon. Mr. Lougheed.

Bill No. 76, An Act to supplement the revenue required to meet War Expenditures.—Hon. Mr. Lougheed.

BRITISH NORTH AMERICA ACT AMENDMENT BILL.

AMENDMENT CONCURRED IN.

The Order of the Day being called.

Consideration of the message from the House of Commons requesting the Senate to unite with that House in an Address to His Majesty the King; praying that he may be pleased to give his consent to submitting a measure to the Parliament of the United Kingdom to amend certain provisions of the British North America Act, 1867, etc., as amended in Committee of the Whole House.

Hon. Mr. LOUGHEED.—Before proceeding with the resolutions with respect to this measure, I beg to move the amendment of which I have given notice. Hon. gentlemen will remember that the six clauses preceding the amendment, are not to come into effect until after the life of the present Parliament expires. I propose to add the following:

Nothing herein contained shall affect the powers of Parliament under the British North America Act, 1886.

In 1886, Imperial legislation was obtained giving authority to the Parliament of Canada to appoint senators to territory not included in any of the provinces. There are no representatives in the Senate representing such territory but it is thought that the Imperial Act which is now proposed, might by implication repeal the legislation of 1886. I will read to hon gentlemen the clause which will be affected, which is as follows:

The Parliament of Canada may from time to time make provision for representations of the Senate and the House of Commons of Canada, or either of them, of any territories which for the time being form part of the Dominion of Canada, but are not included in any province thereof.

That is to say, the Parliament of Canada would have authority under this legislation to appoint a representative to this Chamber, as they have done in the House of Commons, for the Yukon territory or for any of the unorganized territories. I may say to hon. gentlemen that there is no present intention of doing so, because there would have to be an Act of this Parliament, but the Imperial Parliament has given to this Parliament authority to invoke this legislation should it be necessary. It is not desirable that it should be repealed by way of implication or have doubt thrown upon it; hence I move that the resolutions be not now finally read, but that they be amended in the manner indicated.

Hon. Mr. BOSTOCK—Possibly the action taken by the Senate last session was to the advantage of the country, inasmuch as the address, as brought down last year, was exactly on the same lines as the one brought down this year, and if the explanation of my hon. friend that we would have repealed the Act of 1886 is correct, possibly the delay that has been caused by the action we took was to the benefit of the country and the Government.

Hon. Mr. LOUGHEED—It was probably providential.

Hon. Mr. BOSTOCK—It will also result in leaving it open at some future time to effect this division into four groups of 24, that we understand will be the result of the action that is now proposed to be taken.

Some hon. GENTLEMEN—No.

Hon. Mr. BOSTOCK—In the future, if action is taken under this Act, of course it would increase the number and it would interfere with these four groups of 24, and that is what I desire to point out.

Hon. Mr. LOUGHEED—It is not the intention to repeal any part of existing legislation.

Hon. Mr. DAVIS—Do I understand the hon. gentleman to say that the Government could appoint a senator to represent the Yukon?

Hon. Mr. LOUGHEED—I said authority was given by the Imperial Parliament, subject to the legislation by the Parliament of Canada, to appoint senators and members of the House of Commons for territory not within the boundary of any of the provinces.

Hon. Mr. DAVIS— They cannot do it until they get legislation?

Hon. Mr. LOUGHEED—No.

The amendment was agreed to.

Hon. Mr. LOUGHEED—I beg to move that a message be sent to the House of Commons that the Senate has passed the said address with two amendments to which they desire their concurrence.

Hon. Mr. DANDURAND—I hope that this address returning to the Commons will give opportunity to the newspapers to correct their misrepresentation of the vote and the effect of the amendment which the Senate made. A telegram was sent to all the Conservative newspapers to the effect that the Senate had voted in amendment to bring this resolution into effect only after the general election. We all know that that was not the case.

Hon. Sir MACKENZIE BOWELL—What is the difference.

Hon. Mr. DANDURAND—The difference is considerable. If that had been the action of the Senate no appointment could have been made until after the general elections and under our amendment an appointment may be made the day after dissolution.

Hon. Sir MACKENZIE BOWELL—That is by the Governor in Council.

Hon. Mr. DANDURAND—The Governor in Council.

Hon. Sir MACKENZIE BOWELL—Suppose the Liberals are successful at the next election you have made revision that you can repeal these Orders in Council, so that it is about as broad as it is long.

Hon. Mr. DANDURAND—This is the first time that I have heard of a senator being appointed by Order in Council under the signature of the Governor General and that such an order could be cancelled. My hon. friend has had longer experience in these matters than I have, but I surmise that such an appointee would be careful to take the oath of office and qualify.

Hon. Mr. DANIEL—My hon. friend is mistaken when he speaks of senators being appointed by the Lieutenant Governor in Council. If he looks at the Act he will find that senators are appointed directly by the Governor General.

Hon. Mr. DANDURAND—The Governor General has no right to appoint a senator except under the advice of his Council.

Hon. Mr. DANIEL—The hon. gentleman is a lawyer, but I would refer him to the British North America Act.

Hon. Mr. DANDURAND—I would refer the hon. gentleman to his own leader, who will tell him whether the Governor General can claim to supersede the authority of the Council and appoint a senator to this Chamber without its advice.

Hon. Mr. DANIEL—I have no doubt the Governor in Council recommends the appointment, but at the same time, according to the reading of the law, the appointment is made directly by the Governor General as the representative of the Crown.

The motion was agreed to.

LAMBERT DIVORCE CASE.

ORDER POSTPONED.

The Order of the Day being called:

Consideration of the Twenty-first Report of the Standing Committee on Divorce, to whom was referred the petition of Cecil Howard Lambert, together with the evidence taken before the said committee.—Hon. Mr. Ross (Middleton).

Hon. Mr. DAVIS—I wish to say that, while all these cases have gone through this year very rapidly, and I have taken no exception to any of them, yet there is a limit to all things. I have not seen the evidence in the two cases that are to come before the House to-day. As a matter of fact, one Divorce Bill went through the other day, and I did not get a copy of the evidence until after the report had been adopted. I want to be able to read the evidence in these cases before the committee's reports are adopted in the House. I am given to understand on good authority that there is absolutely no evidence in the Gordon case. I do not propose to allow these Bills to be railroaded through the Senate.

Hon. Mr. TAYLOR—The evidence in this case is printed and distributed, and the hon. gentleman will find it in his box.

Hon. Mr. DAVIS—That is exactly the case. It is in my box now, and the hon. hon. senator wants us to adopt the report without giving us an opportunity to see the evidence.

Hon. Mr. TAYLOR—I move that the order be discharged, and that the order be placed on the Order Paper for to-morrow.

Hon. Mr. DAVIS—We had three sittings yesterday, and we will likely sit until 10 or 11 to-night, yet I am asked to sit up all night to read this evidence.

Hon. Sir MACKENZIE BOWELL—You can read it in half an hour.

The motion was agreed to.

GORDON DIVORCE CASE.

ORDER POSTPONED.

The Order of the Day being called:

Consideration of the twenty-second report of the Standing Committee on Divorce, to whom was referred the petition of Albert Edwin Gordon, together with the evidence taken before the said committee.—Hon. Mr. Ross (Middleton).

Hon. Mr. DOMVILLE—The evidence in this case has not been distributed.

Hon. Mr. MURPHY—The evidence in the Gordon case was very flimsy. Every member of the Senate should have an opportunity of reading it, and I ask that the Order of the Day be postponed until next week.

Hon. Mr. DAVIS—I understand that there is a lot of evidence in this case, and I think it is absurd to ask us to read it in a short time.

Hon. Mr. MURPHY—I want to call the hon. gentleman's attention to the fact that on Saturday we will have a short session. This Gordon case should receive serious consideration, and I ask to have the motion amended to read Tuesday.

Hon. Mr. LOUGHEED—I am not as seriously concerned about this case, as I am in any step being taken that would seemingly have the effect of unfairly defeating the action of the Divorce Committee. This committee have given their best attention to the many cases which came before them. When the hon. gentleman from Prince Edward Island stated that because he dropped into the committee room on some occasions and from what he heard considered the evidence flimsy, and therefore the case should be postponed until Tuesday—a date when possibly prorogation may take place—I protest, as a member of the committee against this unnecessary delay in dealing with the report.

Hon. Mr. MURPHY—I protest against the imputation that it is my intention to defeat the Bill. I wish to see the Bill come fairly before the House. I am not a lawyer, but my opinion is that the evidence is flimsy. It would require a little stronger

evidence, in my view, to grant an application for divorce, than seems to satisfy my hon. friend.

Hon. Mr. DAVIS—There is no possibility of proroguing next week.

The SPEAKER—The motion is that this report be taken into consideration tomorrow at the second sitting.

The motion was agreed to.

SEED GRAIN FODDER RELIEF BILL.

REPORTED FROM THE COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 85, An Act respecting Seed Grain, Fodder and other relief.

(In the Committee.)

On clause 1:

1. The Governor in Council shall have power to provide for the purchase, sale, and distribution during the year 1915 among such farmers and settlers in the said provinces of Alberta and Saskatchewan as apply for the same, of seed grain, fodder for animals, and other goods by way of relief, in such quantities and upon such terms as to the taking of security for the repayment of the cost of seed grain, fodder, and other goods by way of relief so supplied, as shall appear necessary or proper.

Hon. Mr. BOSTOCK—Could the hon. leader give us any idea how much money is to be expended under this legislation?

Hon. Mr. LOUGHEED—Yes, the total expenditure will be about ten and a half million; in the vicinity of three million for relief, and the balance for seed grain.

Hon. Mr. WATSON—Could the hon. gentleman tell us what system has been adopted in regard to the relief?

Hon. Mr. LOUGHEED—I cannot exactly indicate that to my hon. friend. The Mounted Police were charged with reporting all cases of want, so far as they could possibly ascertain, to officers at different points, and these officers were charged with furnishing people who were in want, such relief as they required. I do not know that any hard and fast system was adopted. There must be a certain amount of latitude in such cases to aid settlers under the unfortunate conditions that were so prevalent throughout those provinces.

Hon. Mr. DAVIS—I understand that parties were given a free hand, where this relief was given out, to go to storekeepers and give orders. Of course, the storekeepers who were in line with my hon. friend's party received all the orders, but I understand there was no limit placed on the price these merchants might charge the poor people who got the relief, and who will, at a later stage, have to pay for it. They had to take it at any price they were charged.

Hon. Mr. LOUGHEED—I do not think so.

Hon. Mr. DAVIS—Was there any safeguard the people in that regard?

Hon. Mr. LOUGHEED—I understand the prices charged for commodities furnished were revised by those who had charge of the distribution of relief.

Hon. Mr. DAVIS—What should be done in a case of that kind, if there are two or more stores in the village where the relief is to be given, these people should go around and submit a list of what they wanted, or what is proposed to be given, and the lowest tender should be accepted. There would be some check in that case, but where they are told to go to a certain store and get $40 worth of goods, the poor settler would probably get $20 worth for his $40 if the profits were anything like we hear about in committees in the other House.

Hon. Mr. WATSON—Is the amount that is distributed as relief charged up against the person who gets it?

Hon. Mr. LOUGHEED—I so understand. I would refer my hon. friend to the memorandum between the Government of Saskatchewan and the Dominion on the second page, and he will there see what has been agreed between the provincial treasurer of the province and the Minister of the Interior, first " that the Dominion Government will undertake the distribution of seed grain, and relief other than seed grain, to homesteaders on patented and unpatented lands alike, and in accordance with their necessities, and within the area described as the drouth-stricken area," etc., and the subsequent clause in this provision as to how that lien will operate upon patented lands and as against mortgagees.

Hon. Mr. WATSON—There is really no charity. None of this money has been distributed as charity.

Hon. Mr. LOUGHEED—I understand not. I understand, without stating it with any great positiveness, that owing to the wide area of the district of want, the system was adopted of these settlers securing their requirements from their own stores, or as

near their own vicinity as possible. That was adopted as far as possible.

Hon. Mr. WATSON—I have heard that the distribution of relief took somewhat of a wide scope and without any particular authority. I do not know whether I am correct, but I understand there is a bunch of accounts, $800,000, sent in, without any knowledge as to how the money was distributed, but it was all done by some immigration agent in the West without any authority.

Hon. Mr. LOUGHEED—Who is head of the Immigrant Branch in Winnipeg?

Hon. Mr. DAVIS—Bruce Walker.

Hon. Mr. LOUGHEED—I understand most of the work has been done under his supervision. He was an appointee of the late Government and one of its stalwart supporters, still we have had confidence in him to carry out this scheme of assistance.

Hon. Mr. WATSON—I understand that last fall, when an election was talked of by some of the hon. gentleman's colleagues, one of them went west and practically told the people they could have everything they wanted out there.

Hon. Mr. LOUGHEED—That has been denied over and over again.

Hon. Mr. WATSON—And this gentleman was instructed to distribute charity to the extent of $800,000 without people knowing anything about it.

Hon. Mr. DAVIS—Was there not a limit to the amount to be given to each family?

Hon. Mr. LOUGHEED—It was just the immediate needs of the family.

Hon. Mr. DAVIS—And that will be a lien on their property when they get the patent. It was given as a loan not as a gift.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—If the Government were to loan them $40 they would be much better off because they would have the money. When you give them an order on the storekeeper for $40 they do not get value.

Hon. Mr. LOUGHEED—They were not bound to take the order we gave them.

Hon. Mr. DAVIS—That was a poor way to assist them. If it were charity I could understand it. You have to give them the money; you have to give it to the storekeeper; if you had done that they could have got value and competition and then purchases. You have simply allowed political friends to prey on those poor people.

Hon. Mr. WATSON—What proportion does the local Government bear of the cost of distribution?

Hon. Mr. LOUGHEED—The local Government agree to bear the expense of the central distribution office at Winnipeg, and of the offices connected therewith for distributing the grain and fodder in connection with patented lands, and their Government further undertakes to protect the liens for seed grain and fodder for animals under the provisions of this Bill.

Hon. Mr. WATSON—The Federal Government undertakes to dispense the relief on unpatented lands.

Hon. Mr. LOUGHEED—Yes, the province would not have anything to do with unpatented lands. They have no supervision over them.

Hon. Mr. WATSON—It seems to me it would be much more satisfactory if the one Government, either federal or local, had undertaken the distribution of all this relief, because the hon. gentleman knows the men with the unpatented land, and the homesteader are all mixed up in the one district and you have two sets of offices.

Hon. Mr. LOUGHEED—The province simply acts within its jurisdiction with respect to patented lands.

The clause was adopted.

Hon. Mr. MURPHY, from the committee, reported the Bill without amendment.

THE PRINTING OF PARLIAMENT.

FIRST REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. DERBYSHIRE presented the first report of the Joint Committee on the Printing of Parliament. He said: About 98 per cent of the applications for documents have been rejected, and only about 2 per cent have been printed, so that we have been cutting down the expense lately. We have recommended that only one copy, in place of two, shall be sent to each member of Parliament and senator, and that the secretary will send a duplicate card to members, so that the member can return one-half the card, stating whether he requires copies of certain documents in the future. Under this system, if members do

not desire documents they will not receive them. We are going to get it down to a fine point next year. The trouble is that in another place they moved that rule 74 be suspended, and the documents be printed in quantities at once. So that it passed the House of Commons, and the printing is ordered over the heads of the Printing Committee. We had the Speaker before the committee this morning, and he agreed, as far as he possibly could, not to have the rule suspended, and that any order for printing should come before the committee, and we should have control. We are in hopes of cutting expenditure down next year and saving one hundred thousand dollars.

Hon. Mr. POWER—I am very much pleased to hear it. I did not know the committee's report embodied that conclusion.

Hon. Mr. DERBYSHIRE—That comes in another report.

Hon. Mr. POWER—It is a step in the right direction, and I hope the committee will persist in their good work. I think they ought to submit such work at the next session of Parliament as will save, not one hundred thousand dollars, but a million dollars.

The motion was agreed to.

BILLS INTRODUCED.

Bill No. 87, An Act for granting to His Majesty aid for militia and naval defence. —Hon. Mr. Lougheed.

Bill No. 95, An Act respecting certain issues of Dominion notes.—Hon. Mr. Lougheed.

Bill No. 105, An Act to amend the Government Railways Act, and to authorize the purchase of certain railways.—Hon. Mr. Lougheed.

AN ERROR IN THE MINUTES.

Hon. Mr. POWER—Before the House adjourns there is a matter to which I wish to call attention, and I particularly ask the attention of the hon. the leader of the Government to this matter. It will be remembered that yesterday afternoon I was regretfully compelled to appeal from a decision of His Honour the Speaker, and that my appeal was sustained by a vote of 31 to 21. When I look at the Minutes this morning I find the following:

The Honourable Mr. Power appealed to the Senate from the ruling of His Honour the Speaker.

That the said ruling be not accepted by the Senate.

The question of concurrence being put thereon.

The House divided, and the names being called for, they were taken down as follow:—

"Contents"—that is that said ruling be accepted—"21; Non Contents, 31, so it was resolved in the negative." That is, as every hon. gentleman knows, directly contrary to the fact. The way in which His Honour put the question I am not finding any fault with, and I wish it to be understood that I am not in any sense criticising or finding fault with His Honour's action. The question as put by the Speaker was "That the decision of the Speaker be sustained," and that was the one as to which the affirmatives were not equal to the negatives. I suppose it is unnecessary to say that this entry will be corrected in the Minutes. If it is necessary, I shall move that the Minutes be corrected so as to show what actually took place. The hon. the leader of the Government will second that, I presume.

Hon. Mr. LOUGHEED—I think what my hon. friend states is correct, that is how I understood it. I remember the motion of His Honour the Speaker was that the ruling be sustained.

Hon. Mr. POWER—Surely there is no question about the fact.

The SPEAKER—As the hon. gentleman says, the motion I put was that the ruling be sustained and it is entered here that the ruling be not accepted.

Hon. Mr. MURPHY—While His Honour the Speaker is looking up the record I beg to call attention to the fact that one name appears as voting both ways, "David."

Hon. Sir MACKENZIE BOWELL—One should be "Davis."

The Senate adjourned until three o'clock to-day.

Second Sitting.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

RESIGNATION OF SENATE EMPLOYEE.

INQUIRY.

Hon. Mr. POWER—I think it is proper at this stage to ask if His Hon. the Speaker has received a communication from one of

the staff tendering his resignation as a clerk. This matter comes up in our report, which is on the Order of the Day, and I have reason to think that the gentleman concerned has sent in his resignation, and it would be much better to amend the report by saying that his resignation has been accepted.

The SPEAKER—I do not think it is time for that yet.

Hon. Mr. POWER—I think that is a proper inquiry.

The SPEAKER—It is an inquiry on your part.

The SPEAKER presented a letter from the Clerk of the House tendering the resignation of Adolph D. Caron.

Hon. Sir MACKENZIE BOWELL—Does it require a motion that that resignation be accepted? It would be better as suggested by the chairman of the committee, that the committee should accept the resignation, I move that the resignation of Adolph D. Caron be accepted.

Hon. Mr. WATSON—I second the motion.

Hon. Mr. CHOQUETTE—Is this the same young gentleman who is mentioned in the report of the Committee on Internal Economy? If so I think the matter should stand until we come to that item.

Hon. Mr. POWER—No, the Senate can accept the resignation.

Hon. Mr. CHOQUETTE—The report of the Committee on Internal Economy No. 5 says that the services of Mr. Caron be dispensed with, and I would like to have the matter stand until we come to that item in the report.

Hon. Mr. POWER—The hon. gentleman can discuss it just as well now.

Hon. Mr. CHOQUETTE—There can be no objection to waiting until the report has been considered. Surely this motion is not going to be pressed before the report is considered. I see no reason why the time of the House should be taken up discussing this matter twice.

Hon. Mr. WATSON—When the hon. senator for Halifax inquired, he was told by His Honour the Speaker that it was not the proper time or place to deal with the matter. There is a motion before the House, and it should be disposed of.

Hon. Mr. MITCHELL—There is nothing to discuss; the resignation is before us.

Hon. Mr. CHOQUETTE—I move in amendment to the motion that this matter be taken up concurrently with item 5 in the report of the Committee on Internal Economy.

The amendment was declared lost, and the original motion was agreed to on a division.

THIRD READING.

Bill No. 79, An Act authorizing extension of time to Insurance Companies.—Hon. Mr. Lougheed.

CRIMINAL CODE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 74, An Act to amend the Criminal Code.

Hon. Mr. DANDURAND—We were discussing the copyright last evening when the committee rose. If the House is agreeable to my suggestion I would ask that the order be discharged, and that it be placed on the Orders of the Day for to-morrow morning. That would give me more time to prepare the information I am desirous of presenting.

Hon. Mr. LOUGHEED—Inasmuch as the Order Paper is rather short of business, I suggest that we dispose of the other clauses of the Bill this afternoon and allow the copyright clauses to stand until to-morrow.

On clause 2:

2. The Criminal Code, chapter 146 of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section 75:

"75a. Every one is guilty of an indictable offence and liable to two years' imprisonment who incites or assists any subject of any foreign state or country at war with His Majesty to leave Canada, if the circumstances of the case do not exclude the possibility that assistance to the enemy is an intended object in his so leaving Canada, and if such inciting or assisting do not amount to treason."

Hon. Mr. LOUGHEED—Hon gentlemen will remember last night it was considered that the latter part of the clause after the word "Canada" seemed somewhat obscure. I have taken the matter up with the Parliamentary Counsel and he has suggested an amendment in lieu of the language suggested last night and which reads as follows:

"Striking out that part of clause after the word "Canada" in the twelfth line, and inserting the following words:

Unless the person accused can prove that assistance to the enemy could not possibly have been intended, and provided that such inciting or assisting do not amount to treason."

Hon. Mr. POWER—That is about the same thing.

Hon. Mr. LOUGHEED—If we strike out all the words without substituting anything, then we constitute an offence which may be an offence technically, but which may not be one in substance. It seems to me the additions as suggested will complete the definition of the offence, and at the same time throw upon the accused the onus of showing that he has not committed the offence with which he was charged.

Hon. Mr. CLORAN—Under British law every man is supposed to be innocent before he is proved guilty. This proposition is simply uprooting the whole system of criminal law in Canada, which is one of the best systems on earth. We are asking the man to prove his innocence before the Crown proves he is guilty.

Hon. Sir MACKENIE BOWELL—If the hon. gentleman will consult the Customs and Inland Revenue Acts he will find that if a man is accused of having violated the law he is to show that he is not guilty.

Hon. Mr. CLORAN—That is another reason why that principle of law should not be tolerated in this country. Why should the Government call upon a man to prove his innocence before the state has proved his guilt? I am simply registering a protest.

Hon. Sir MACKENZIE BOWELL—I am only calling attention to the statement the hon. gentleman made, that no such law existed. If the hon. gentleman will consult the law he will see that I am right.

Hon. Mr. CLORAN—It is the most nonsensical provision ever placed in the statutes.

Hon. Mr. CHOQUETTE—I am quite in accord with the hon. gentleman from Victoria Division in opposition to that clause. It is contrary to all principles of British law to say that a man accused of a crime should prove his innocence. The hon. gentleman from Hastings has studied the Customs law, but there is a great difference between such a case and the one we are dealing with now. When a man is caught with the goods in his possession he may be asked to prove that he has paid the duty on them, or if liquor is found in the possession of a man coming from St. Pierre-Miquelon, he may have to prove how it came into his possession.

Hon. Mr. THOMPSON—Do I understand that a man accused of having committed treason should present his defence to that accusation as early as possible in the trial?

Hon. Mr. LOUGHEED—There seems to be some misconception as to this. If we strike out those words and leave the clause as suggested, we would be creating an offence unknown to the law, and might bear very unjustly on many innocent and deserving persons. It might be a commendable act for some one to assist an alien to leave Canada. There is no law against that at the present time, except by proclamation.

Hon. Mr. CLORAN—There ought to be.

Hon. Mr. LOUGHEED—The Criminal Code makes provision under section 74—and this is the closest approach to the offence in question—that it shall be an act of treason to assist any public enemy at war with His Majesty by any means whatever. The phraseology is broad.

Hon. Mr. CLORAN—And it is good.

Hon. Mr. LOUGHEED—We have to define this particular offence which since the war has been obtruded upon the public attention. An alien subject in Canada might wish to go to the United States for the purpose of living with his family, or assisting his family, and might receive assistance from some one in Canada for that purpose. Such an act as that which I have just outlined would be an offence under this Bill, provided we strike out the words which we discussed last night, and it seems to me imperative that we should define what constitutes the offence. The offence is not simply in assisting an alien subject whose country is at war with Canada to leave Canada, but the motive or object which the person extending such assistance has in view in so doing constitutes the offence. Therefore, it would come within this class of case which I have described in the amendment, namely, that the person accused may prove that assistance to the enemy could not possibly have been intended, and that such inciting or assisting does not amount to treason.

Hon. Mr. POWER—I do not see that this suggested amendment makes the slightest change in the meaning of the clause. The clause in the Bill which we differed about is:

If the circumstances of the case do not exclude the possibility that assistance to the enemy is intended.

Hon. Mr. LOUGHEED—That is the crime.

Hon. Mr. POWER—The circumstance must exclude the possibility. The amendment says: "Unless the person accused can prove that assistance to the enemy could not possibly have been intended," which is the same thing—plus ou change, plus c'est la même chose. I do not say this would cover the whole ground, but if the hon. leader of the Government will make it read this way I think it will be better: "Unless the person accused can prove that assistance to the enemy was not intended." If he proves it was not intended that would be sufficient. I move it be amended by inserting the words: "Was not intended" after the word "enemy."

Hon. Mr. BELCOURT—When we were discussing that clause last night I suggested it would be perfect legislation if we stop at the word "Canada"—every foreigner whose country is at war with Canada is prohibited from leaving the country.

Hon. Mr. LOUGHEED—I would not say the proclamation goes as far as that.

Hon. Mr. BELCOURT—That is my recollection of it.

Hon. Mr. CLORAN—That is how it ought to be.

Hon. Mr. BELCOURT—It is contrary to the laws of Canada for a foreigner whose country is at war with Canada to leave the country. If such a foreigner is going to leave Canada he must get an exeat.

Hon. Mr. LOUGHEED—My recollection is that the proclamation provides that an interned alien enemy cannot leave Canada without an exeat.

Hon. Mr. BELCOURT—No foreigner whose country is at war with Canada can leave without permission. This law is intended to prevent any one from inciting or assisting a foreigner to leave Canada. Unless the person who is leaving Canada has obtained permission he is doing something against the laws of Canada.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BELCOURT—If you add to that the words which my hon. friend proposes you simply destroy the legislation. I would like to see a provision which would make it illegal and subject to a penalty for any one who acts, incites or assists any one to leave Canada who is not provided with permission.

Hon. Mr. CLORAN—It amuses me to see the position this hon. Senate and Parliament has taken with regard to a war measure. I call this a war measure. We have so much charity and consideration for the aliens who are at war with Canada that we want to help them. I would like to imagine the Kaiser standing up in the Reichstag and listening to members of that body demanding protection for Englishmen or Irishmen. Here is the Senate actually asking for protection on behalf of the German Empire. That is the effect of it when you look closely into the facts, and the people of Canada know it. This law says that it must be proved that he is leaving not with the intention of fighting against the British Empire, but is going on a peaceful mission. I put no trust in the declaration of any foreigner, no matter how high he may be in social or other positions. As the hon. senator for Ottawa has said, if there is some unobjectionable object in view, why not say to these people that they must go to the judge of the district and obtain permission to leave the country. I remember stating in August last, ten days after the war broke out, that no man should leave this country to join the army of the enemy, and if he did so he should be shot if he tried to return. That declaration did not meet with the approval of certain members of the press in the West which are, I think, controlled by German interests.

Hon. Mr. POIRIER—Carried.

Hon. Mr. CLORAN—What is carried? You cannot suppress this discussion by saying "carried." I say that the suggestion made by the hon. senator from Ottawa is well founded and should be accepted.

Hon. Mr. CHOQUETTE—The only objection I find with the clause is the first words of the amendment: "Unless the person accused can prove." I quite agree with my hon. friend from Ottawa that we should drop all in the clause after the word "standing." By doing that you will create the offence.

Hon. Mr. LOUGHEED—By doing what?

Hon. Mr. CHOQUETTE—By taking out all the words after "Canada." Then the law will stay as it is now, and it will be for the Crown to prove criminal intent.

Hon. Mr. DANDURAND—I do not agree with my hon. friend. If this phrase is

struck out and the Act simply remains as we have it now in the first part, "Every one is guilty of an indictable offence who incites" etc., then once the Crown Attorney establishes the fact that assistance was given, or incitement had been made, the case would be complete for the Crown, and I say my hon. friend is in error because the Crown would simply be limited to establishing the fact that there was assistance.

Hon. Mr. LOUGHEED—Every transportation company would thus be liable for assisting an alien enemy to the boundary.

Hon. Mr. BELCOURT—That is quite right. The question was raised as to the proclamation, and I will read to the committee what that proclamation provides for:

> That all persons in Canada, German or Austrian or Austrian-Hungarian officers, soldiers, or reservists who attempt to leave Canada.
>
> All subjects of the German Empire or of the Austro-Hungarian monarchy in Canada who attempt to leave Canada, and in regard to whom there is a reasonable ground to believe that their attempted departure is with a view to assist the enemy, and
>
> All subjects of the German Empire or of the Austro-Hungarian monarchy in Canada engaged or attempting to engage in espionage or acts of a hostile nature, or giving or attempting to give information to the enemy, or assisting or attempting to assist the enemy, or who are on reasonable grounds suspected of doing or attempting to do any such acts be arrested and detained.

Now if any such person wishes to leave Canada, all he has to do is to go to the proper authorities and submit his case, and obtain permission, and neither he nor the transportation company will be liable if he obtains permission. Whether permission is got before the prosecution or after the prosecution, it would be a complete defence. I take it that the object we have in view is to prevent anybody leaving Canada for the purpose of assisting the enemy. It is very easy for anybody who wishes to leave Canada without such intent to prove it.

Hon. Mr. LOUGHEED—We have not yet anything in the Bill about assisting the enemy. That is the offence.

Hon. Mr. BELCOURT—I understand my hon. friend wishes to protect persons who wish to leave.

Hon. Mr. LOUGHEED—The difference is in the intention.

Hon. Mr. BELCOURT—That person so assisting has a complete answer if the person who is leaving Canada is in a position to satisfy the authorities that he has a right to leave. It all turns upon the permission to leave. That is the gist of the whole thing and the person who wishes to leave can get permission.

Hon. Mr. LOUGHEED—You throw the onus of getting permission before they can leave Canada. We say any one has a right to assist an alien to leave Canada provided he is not doing it for the purpose of assisting that alien subject to help the enemy.

Hon. Mr. BELCOURT—My hon. friend and myself do not agree upon that point.

Hon. Mr. ROCHE—I think nothing ought to be done to remove the protection any subject enjoys under the general law. There is enough attempt to prove criminality without any such law. I know that considerable latitude ought to be given to the Government in detaining or arresting suspected persons in war time, but the legislature ought to be careful in interfering with the protection which is thrown around civilians. Everybody acquainted with Irish history knows how such rights and powers have been exercised against civilians. Every protection which the law gives to the private individual should be conserved, and before a civilian is charged with a criminal act he should be protected, and his rights, privileges and immunities ought to be preserved. My hon. friend Hon. Sir Mackenzie Bowell, has stated a parallel case, and I am going to state a case where the Government exercised an arbitrary authority and compelled an innocent individual to prove his right to the possession of articles. When the excise or customs authorities proceed against a person, the burden of proof rests upon the individual charged, and that sometimes is very onerous. I want to cite a case of injustice in my own knowledge which was perpetrated by some of the underlings in the department of the hon. gentleman when he was Minister of Customs. I had advanced some money upon a number of cases of oilcloth which had been passed through the customs by the party who had imported them. They were all of one kind and could not be distinguished one from the other. The customs officials found that duty had not been paid upon the gross amount. These very articles I advanced the money on were included, but the Custom House did not receive the full amount of duty upon all the articles of other shipment, and they were confiscated, and one of the emissaries of the Government took the trouble to swear

that these articles were imported and had not paid duty, and that I knew they were smuggled into the country. Being an officer of the Crown, they believed him, and I lost my money, and the Government confiscated these articles and put into the public revenue part of the money that was filched from me. The liberty of the subject should not be infringed upon and the underlings of the Government and the hired spies who may find out some case and bring a man up and levy blackmail against him should not be encouraged and we should in every way protect the rights which the subject enjoys under the laws of England and the laws of allegiance to the Sovereign.

Hon. Sir MACKENZIE BOWELL—If any of the imported packages were not enumerated in the invoice, the law declares, without any intervention on the part of the department, that they were absolutely forfeited. I do not know the circumstances, but I am simply stating the law.

Hon. Mr. McSWEENEY—The whole shipment should be forfeited.

Hon. Sir MACKENZIE BOWELL—No, no, not the whole shipment, only the articles that were not enumerated in the invoice. Whether that was the case or not, I do not know, but I think if the matter were properly investigated such would be found to be the fact. If the hon. gentleman would like to have the matter inquired into, let him move for a return although it may have happened about thirty years ago if there is any decision renderd by me I venture the assertion that it was correct and according to law.

Hon. Mr. ROCHE—The hon. gentleman had the law on his side.

The CHAIRMAN—This discussion is not relevant.

Hon. Mr. BEIQUE—I should like to inquire from the leader of the Government as to what his interpretation is in the proviso which says that " unless a person can prove that assistance to the enemy was not intended." Is it assistance by the person accused or by the party who leaves the country?

Hon. Mr. LOUGHEED—By the person accused.

Hon. Mr. BEIQUE—It is very ambiguous. It does not appear that what is contemplated is assistance by the person accsued or by the person leaving the country. And that should be stated.

Hon. Mr. LOUGHEED—It is stated.

Hon. Mr. BEIQUE—It says that unless a person can prove that assistance to the enemy was not intended. Does the hon. gentleman mean assistance by him to the enemy?

Hon. Mr. LOUGHEED—Yes, assistance to the enemy by the alien subject, because there would be no presumption that a person in this country was rendering assistance to the enemy.

Hon. Mr. BEIQUE—I quite agree with the hon. gentleman (Hon. Mr. De Lorimier) that it would not be proper to strike out all the words after "Canada," because then the Crown would be bound to prosecute a number of parties who might be innocent, and there would be no means of relief. We must bear in mind that we are not dealing here with the party who is leaving the country. If we were, I would suggest that he be not allowed to leave the country unless he obtains a permit; but we are dealing with a man who may assist a person to leave the country, and he may give the assistance without realizing that he is doing so, or he is doing so in such a way as to create an offence, and therefore, if it is proper to make it a criminal offence on his part, it is but right to give him an opportunity of explaining his conduct and satisfying the Crown that no offence was intended by the party who is leaving the country.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BEIQUE—This is a great improvement on the clauses as printed. My apprehension is that this may allow any accused person to get out of it very easily, but I am not disposed to take issue on that.

Hon. Mr. BELCOURT—On reflection I must say I would not be satisfied with what I proposed last night. What has been said since has convinced me that it would not be proper to have a prosecution of that kind without giving the accused an opportunity of showing that he was innocent. What brought that home to me more particularly was the statement with regard to the transportation company; that opened my mind as to the falseness of the position I took last night. There is one point as to which I do not

agree either with him or the hon. gentleman who has just spoken, and that is that the provision must be limited,—unless the person can prove that assistance to the enemy could not possibly be intended.

Hon. Mr. LOUGHEED—We are striking out the words "could not possibly have been" and inserting the words "was not."

Hon. Mr. BELCOURT—It would be wrong to provide that the guilty intention, or the intention to do harm, is limited to the person who is leaving, otherwise if you put those words in you would have this anomalous position, that a person inciting or assisting with a guilty knowledge, or the intention of helping the enemy could get off. He would say, "Well, there is no offence against me. It is true I knew he was going to help the enemy, but you have to prove intention on the part of the man who is going, and not the man assisting. That is the last thing we want to do.

Hon. Mr. LOUGHEED—It is the person in Canada who would be accused.

Hon. Mr. BELCOURT—I thought the hon. gentleman from De Salaberry suggested that it was the person leaving the country.

Hon. Mr. LOUGHEED—No, it is the person who incites or assists.

Hon. Mr. BELCOURT—The hon. gentleman from De Salaberry suggests that we should show that it is only the party who is leaving that has the intention of doing something hostile.

Hon. Mr. BEIQUE—The hon. leader of the House said it was the intention of the accused that was to be considered, and I said that it should be so stated.

Hon. Mr. CLORAN—This is an object lesson to me. Just imagine a body of legislators divided on a simple question of the construction of a clause which is to be inserted in the Criminal Code. Here are the brightest geniuses in the land divided on the point at issue. What about the poor judge in the country? If these hon. gentlemen cannot get together on the question, how do you expect the judges of the land to get together on the interpretation and application of the law? What is the use of placing on the statute-book a law so involved that even gentlemen of the House do not understand it, and then expect the poor country judge, or even the enlightened judge in the Supreme Court to interpret and apply it? Make your laws so clear and plain that there will be no need of interpretation and explanation. The duty of the judges is to apply the law as passed by us.

Hon. Mr. DAVIS—Four lawyers here and they cannot agree.

Hon. Mr. CLORAN—Yes, the brightest geniuses in Canada, some from Quebec, some from Ontario, and others from the Maritime Provinces and they cannot agree on the wording of the clause. You make yourselves ridiculous, and I have been told so by the judges on the bench.

Hon. Mr. DOMVILLE—It is part of the game.

Hon. Mr. CLORAN—When advocating a certain case for the Crown or against it I have been told "your law does not mean anything; it is up to the legislature to make it clear." What perplexes me—and I hope this will appeal to the Ex-Prime Minister of Canada—is the tender care we exercise and the charity we feel for the enemy. We take to our bosom these citizens of a foreign country at war with Canada and the British Empire.

The CHAIRMAN—I would call the hon. gentleman's attention——

Hon. Mr. CLORAN—The chairman has no right to interfere.

The CHAIRMAN—The hon. gentleman is not speaking to the clause before us.

Hon. Mr. CLORAN—Is the hon. chairman the judge of that?

The CHAIRMAN—Yes.

Hon. Mr. CLORAN—I say the chairman is no judge because I am speaking to the clause.

The CHAIRMAN—Speak to the clause.

Hon. Mr. CLORAN—It is up to the chairman to have intelligence enough to understand it. I am speaking to the clause and I am saying that this Parliament has no right under this Bill to protect the enemy of the country.

The CHAIRMAN—Go on.

Hon. Mr. CLORAN—I have a right to speak and neither the chairman nor the hon. gentlemen opposite can stop me. I am talking on behalf of the British Empire. We are establishing a new principle in the administration of justice and what is the new principle? Under the present Criminal Code of Canada, brought over from England,

a man commits a crime—murder, theft, robbery, incendiarism, or something of that kind. A complaint is lodged and a warrant is issued for his arrest. In the case of theft the offender is brought before the courts of the county and the polite question is put to him, "Are you guilty of having stolen $5,000 or $100 from this person or that institution." The answer of the accused is yes or no. If he says I am guilty, the work of the Crown is done, and the judge applies the law and imposes the penalty prescribed. If the accused says "I am not guilty," it is up to the Crown to prove that he stole the money and thus committed a crime against the law. When the Crown has completed its proof, then it is the right of the accused to prove that he did not steal the money. It is all a question of proof; there is no provision in any clause of the criminal law, covering any crime against the criminal law, wherein it is enacted that you are guilty of an offence unless you can prove your good intentions. That is absurd. If the clauses now before the House were added to all the clauses of the Criminal Code, what would it amount to? It would be simply the annihilation of the criminal law. Supposing it was provided that a man who took another person's goods to the extent of $100 should be guilty of a crime unless he did it for the benefit of some other party or without the intention of stealing: that proposition is absurd on the face of it. This clause under discussion says that a man is guilty unless he can prove that it was not his intention in leaving the country to assist the enemy. In a case of this kind what has the Crown to do? All the accused has to do is to say "I did not leave Canada to go to Germany to fight the British Empire." Every person accused will swear that, and what are you going to do? Would you trust them? No, trust none of them. If a foreigner wants to leave Canada under stress of war, let him go before the proper authority and prove his case before he leaves, and not prove his case when he is arrested. All he has to do is to swear "I did not leave Canada for the purpose of fighting the British Empire." He would be a fool if he swore otherwise, so that the proviso in this law would be an absurdity and should not be accepted by the Parliament of Canada. In Montreal cases have been before the court where labour agents, travelling agents, and others have sent a man across the border to the United States, and when these agents were arrested their contention was "Well, they went to the United States; they are not going to Germany," "they are not going to Austria to fight the British Empire." "They are simply strangers, they belong to Italy or Roumania," and that is the defence put up by those men. Under this clause these men would be perfectly free to do what they are doing, sending men out of Canada over to Austria, Hungary and Germany to fight the British Empire, and the law says, well, if you can prove they had no intention of going there, all right. The only proof is that they leave for the United States, and when there they are free to go elsewhere. Cases of that kind have occurred in the city of Montreal, where passenger and steamship agents have got numbers of men to leave this country under false pretences, and they are going to be encouraged and protected by the provisions of this clause. You are dealing with a question beyond your, shall I say, competency, because most hon. gentlemen have not been in the criminal courts in this land, and do not know how the law is administered, or how the bench has to deal with these questions. I say, make your law so clear and distinct that a judge will have no difficulty in applying the law. I agree with the hon. member from Grandville (Hon. Mr. Choquette) and Ottawa (Hon. Mr. Belcourt), men who are brought up in this line of business, and who ought to be informed, that the first part of the clause is all that is necessary. The other part is simply a German provision put in by some German spy in the Government, and is against the fundamental principle of the Criminal Code. I am sorry to have to make these remarks, but the situation forces me to do so. I am here in the interests of Canada and the Empire, and I will afford no protection to the enemy under any pretext. Intern all foreigners until they are able to prove their right to leave the country. I trust none of them.

The clause was allowed to stand.

Hon. Mr. DAVIS—I wish to move that clause 357a as it appeared in the Commons form be reinstated in this Bill. It was struck out in the Commons. It reads as follows:

3. The following section is inserted immediately after section 357:

"357a. Any person who sells or agrees to sell land or any interest in land to which he knows he has not a good title free from encumbrance, and receives the purchase money or any part thereof and without lawful excuse does not

apply the money so received by him in procuring a good title or in reduction or discharge of encumbrances against the said land or interest in land, is guilty of an indictable offence and liable to three years' imprisonment.

"2. Where such sale or agreement for sale is made by a body corporate, every director, officer, agent and employee of the company who knowingly takes part in any offence within the provisions of this section shall be liable ot the penalty hereinbefore prescribed."

In our country—and I am sure there is any amount of people have suffered from it—it has been a habit of people to get a piece of land, make a small payment on it, and then sell portions of it, and pocket the proceeds, and after a while people who hold the encumbrance against the land take possession of the land, and the purchasers of the lots are swindled. If a person has an encumbered piece of land and sells any portion of it all he has to do is to take the money he receives to assist in paying off the encumbrance, and he is free from the provisions of this clause. There is more necessity for this provision than for the two provisions respecting copyrights. In the other case we are protecting foreigners, and in this case we are protecting our own people.

Hon. Mr. LOUGHEED—I might say that every consideration was given to this clause when it was proposed in the House of Commons. It was introduced by Mr. McCraney, the member for Saskatoon, and upon the fullest discussion taking place in the House, it was ascertained that, while the object was commendable the Bill could not be practically applied. For instance, railway companies, trust companies, loan companies and other large corporations that had lands, and not had clear title, the lands being covered say by land debentures or other encumbrances, would thus be precluded from selling those lands. The object which the promotor of the Bill had in view was a very laudable one. Nobody could question the desirability of crystalizing it into law if it could be done in a practical way, but my hon. friend can understand that lands owned by very responsible parties who are quite capable of giving titles, may be placed upon the market, and yet owing to certain charges against the land, such for instance as land bonds, and other charges of that kind, it would be impossible to make any disposition of the property. They would be brought within the Act. Perhaps I could better cite by way of illustration the case of the Canadian Pacific Railway which originally issued land bonds. My hon. friend will doubtless remember that in the early days most of the town sites were owned by the Canada Northwest Land Company, and there were land bond issues against these lands, and only agreements of sale were given to the purchased. In due course when the purchaser made his payments, and sometime after he completed them, a release was obtained from the trustees who held the lands in trust for the bondholders, and a good title was made. Of course abuse has arisen as to putting lands on the market by parties subdividing them into town lots and selling them without any guarantee behind them, without credit, without responsibility, so to speak, and therefore were unable to make good title to purchasers upon completion of payment. That is the difficulty that confronted the Commons, and I am informed the promotor of the clause, Mr. McCraney, saw it would not be feasible to give practical application to the idea he had in view, and the clause was withdrawn.

Hon. Mr. BELCOURT—Another very serious objection is that if all the money coming in under these agreements must be applied to completing the title, it would prevent the using of that money for the purpose of improving the property, which manifestly would not be a desirable thing.

Hon. Mr. DAVIS: They never use any of the money that comes in to improve the property. If a man sells a horse that he has no title to, he will be put in jail. If he sells anything that does not belong to him, he is put in jail. Why should these loan companies and railway companies who carry on high finance be allowed to do something which an individual cannot do? If these high finance companies sell something to the public and put the money in their pockets and have bonds against the property, I do not think that it is honest. The ordinary farmer goes to a railway or loan company, buys a farm, and they take his money and put it in their treasury, but they can give no title to the property, because there are bonds against it. He has to stay on the land and he may improve it, and perhaps they can never give him a title. Nobody should be allowed to sell anything that he can not give a title to, nor should a railway corporation, a trust company or a bank. I claim this is good legislation.

Hon. Mr. BELCOURT—There is a marked difference between a man buying a horse and a man buying a piece of real estate.

Hon. Mr. DAVIS—I cannot see it.

Hon. Mr. BELCOURT—There is no way of resting a title to a horse.

Hon. Mr. DAVIS—Yes.

Hon. Mr. BELCOURT—I never heard of any means of resting a title to chattels, but if a man buys a piece of property, and if he wants to know that the vendor has a good title, there is a way of finding that out, but if I own a horse and somebody else tries to sell it, it is a criminal offence to sell chattels belonging to other people.

Hon. Mr. DAVIS—If you sell chattels that do not belong to you it is an offence, and if you sell real estate that belongs to another it is no offence.

Hon. Mr. POWER—I propose to vote for the amendment moved by the hon. gentleman from Prince Albert. If the hon. member in the other House who introduced this Bill concluded that it was wiser not to press the measure, I do not think we should attempt to contravene his wishes.

Hon. Mr. DAVIS—I do not think the hon. member who introduced the Bill had anything to do with its withdrawal. There was an outrageous lobby put up by the Canadian Northern and loan companies, and that is the reason the Bill was withdrawn.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DAVIS—A committee was selected by the House of Commons to bring down certain amendments to the Criminal Code. I presume some of the leading lawyers in the House of Commons were selected on that committee. This clause was inserted, and it was cut out because there was a lobby against it, and it is pretty near time these lobbies were stopped.

The motion was lost on division: Contents, 10; non-contents, 14.

On clause 5:

5. The following section is inserted immediately after section 229:

"229a. Every one is guilty of an indictable offence and liable to a penalty not exceeding one hundred dollars and costs and, in default of payment, to imprisonment for a term not exceeding two months or to imprisonment for a term not exceeding twelve months, who is an inmate of any common bawdy house."

Hon. Mr. POWER—I move to strike out all after "229a", and insert in lieu thereof the following:

Every one is guilty of an indictable offence and liable to a penalty not exceeding $100 and costs and in default of payment to imprisonment, etc.

Hon. Mr. WATSON—I think that all discussion on this clause should be omitted from the debates unless we reject the clause.

The committee divided on the amendment, which was rejected on the following division:

Contents, 13; non-contents, 13.

Hon. Mr. CLORAN—I ask for a recount.

The CHAIRMAN—There can be no recount after a decision and members have left the Chamber.

The committee divided on the motion for the adoption of the clause, which was rejected on the following vote:

Contents, 13; non-contents, 13.

Hon. Mr. LOUGHEED—That would mean that the other clauses following, viz, 6, 7, 8, which are conditional upon 229a, necessarily fall with 229a. I move that these clauses be stricken out.

The motion was agreed to.

Hon. Mr. POWER—The chairman asked a question as to whether it is desired that the discussion on clause 5 be reported, and the hon. gentleman from Victoria division seemed to think we could not avoid reporting it. The hon. gentleman should understand that he, like any other hon. gentleman, is amenable to the orders of the Senate. I move that the debate on clause 5 on this Bill do not appear in our debates.

Hon. Mr. WATSON—When I made the suggestion a few moments ago I anticipated that the amendment would not carry. I did not suppose for a moment this House would reject a clause of that description, but it has done so, and as the House is of that opinion, I would rather the public would see who was the cause of the clause being defeated. I am in favour of the clause, however, and I do think there was language used that should not be published.

Hon. Mr. CLORAN—About five minutes ago the hon. gentleman from Portage la Prairie was prepared to have the debate struck from the report because he hoped the clause would carry, now the clause is not carried and he asked that the discussion be placed on record.

Hon. Mr. WATSON—I am not asking.

Hon. Mr. CLORAN—The hon. gentleman has no objection.

Hon. Mr. WATSON—No.

Hon. Mr. CLORAN—Where is the consistency of the position taken by the hon. gentleman from Portage la Prairie? I say whether this clause is passed or not, the people of the country are entitled to have every word pronounced in this Senate given to them, whether it be good grammar, broken English or broken French. Our debates are reported for that purpose. I am speaking here, not so much for the benefit of hon. members, as for the benefit of people outside the Chamber.

The motion was agreed to.

Hon. Mr. Daniel, from the committee, reported that they had made some progress with the Bill and asked leave to sit again.

WAR APPROPRIATION BILL, 1915.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No 87, An Act for granting to His Majesty aid for naval and military defence. He said: The object of this Bill, known as the War Appropriation Act, 1915, is to give authority to the Government to expend $100,000,000 on account of the war. This may be paid out of the Consolidated Revenue Fund as provided in section 2 of the Bill. This, I might say, is in addition to the $50,000,000 voted by Parliament in the August session of last year. It is contemplated that this amount shall be advanced out of the war fund of £350,000,000 sterling which has been raised by the Imperial Government. It is proposed that this loan shall represent in cost to the Government of Canada whatever it may cost the Imperial Government.

Hon. Mr. McSWEENEY—What is the interest? Is it 3½ per cent?

Hon. Mr. LOUGHEED—I cannot say at present.

Hon. Mr. DERBYSHIRE—It is 4½ per cent.

Hon. Mr. LOUGHEED—The present loan now being subscribed upon the English market is a 4½ per cent loan.

Hon. Mr. SWEENEY—The interest on this loan is less than that. This will cost the Government of Canada the same rate that it has cost the Imperial Government for the loan of the 350 million pounds.

Hon. Mr. BOSTOCK—Did my hon. friend say what the rate would be?

Hon. Mr. LOUGHEED—That will be determined by the Imperial authorities.

The motion was agreed to, and the Bill was read the second time.

DOMINION NOTES BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 95, An Act respecting certain issues of Dominion notes.

He said: Under the legislation passed in August last, authority was given to the Government of Canada to issue Dominion notes for certain emergency purposes that might arise. The Government since that time, on account of the legislation which was passed in the first session of 1914, by which they were to guarantee the bonds of the Canadian Northern Railway, and which in whole through the present war have not been negotiated in the markets of Europe, issued to the company ten million dollars in Dominion notes taking as security therefor the securities of this company guaranteed by the Dominion Government to the par value of twelve and one-half million dollars bearing five per cent interest. There was likewise a grant to the Grand Trunk Pacific of $6,000,000 of Dominion notes upon a like security of seven and one-half million issued by that company. The question has arisen as to whether the legislation of last August authorized the Government to make these advances in this particular way, and this Bill is confirmatory of what the Government at that time did.

Hon. Mr. BOSTOCK—My hon. friend refers to the advance to the Canadian Northern Railway made under this legislation. If I understand rightly the questions that were answered in this House a short time ago, this advance only covers what was necessary to assist the company up to the end of the year. We have no information as to whether it will be necessary in any way to assist the company later on. Of course, I presume under existing conditions it was necessary for the Government to take the step they did in order to assist both the Canadian Northern and the Grand Trunk Pacific in the way my hon. friend has stated. If I remember rightly, this money is supposed to be paid on the 1st May this year. My hon. friend has not stated whether that is likely to be carried out, or whether this arrangement will have to be renewed in order to assist

them further. Possibly my hon. friend can give us some information as to whether conditions in the financial markets of the world since this loan was made have improved sufficiently to allow these companies meeting these payments when they fall due. With regard to this question of the new issue, I think the information the company had some short time ago was that the Government might find it necessary to provide for an increase of the note issue from fifty to eighty millions. I presume from what my hon. friend said, that the Government does not consider it necessary at the present time, and that we should be in a better position financially than we would have been if the intention of the Government, as expressed in an Order in Council, had been put into effect. If I understand the situation aright we now have a note issue in this country of fifty million dollars of which 25 per cent is secured by a gold reserve, and that leaves us with a note issue of $37,500,000 against which there is no gold reserve and which is a non-secured note issue. The amount of the note issue in the years when the late Government came into power stood at 20 million dollars, with a reserve of 25 per cent, which left 15 millions at that time which was unsecured. The country has progressed very materially since that time. Later on, before the late Government went out of power, they raised the note issue from 20 million to 30 million dollars. Last August, on account of the condition of affairs which was brought about by the war, we raised the issue from 30 millions to 50 million dollars, at which I understand the issue is now to remain. My hon. friend has not said whether there is any gold reserve being accumulated for the purpose of retiring this further 10 million dollars which we are dealing with in this Bill.

Hon. Mr. LOUGHEED—The 10 million dollars of Dominion notes was issued for the purpose of retiring 8½ million dollars maturing in treasury bills in November last, the balance to be applied to maturing obligations and contingencies. It will thus be seen that we have reduced our obligations by practically the amount of the issue which we have made of the 26 millions, namely 10 million dollars that has been applied towards the retirement of treasury notes and maturing obligations, and 16 millions to the Canadian Northern railway and the Grand Trunk Pacific taking therefor the bonds of the two companies guaranteed by the Dominion Government. I cannot speak as to any reserve against the 10 millions to which I have just referred.

Hon. Mr. McSWEENEY—The Finance Minister said there was $1,200 000 of a gold reserve against that 10 million.

Hon. Mr. DANDURAND—That has been but recently accumulated.

Hon. Mr. McSWEENEY—It is accumulating every day, I presume.

Hon. Mr. LOUGHEED—I find my hon. friend is right. I find that a gold reserve of $1,200,000 has been placed against the 10 million dollars which was issued for the retirement of treasury bills.

The motion was agreed to, and the Bill was read the second and third times, and passed.

The Senate adjourned until 11 a.m. tomorrow.

THE SENATE.

Thursday, April 1, 1915.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and routine proceedings.

CIVIL SERVICE AND THE BILINGUAL SCHOOL QUESTION.

INQUIRY.

Hon. Mr. LAVERGNE inquired:

1. Is the Government aware that Mr. J. U. Vincent, the author of a political pamphlet, is employed in the inside Civil Service of Canada as Assistant Deputy or Deputy Minister of Inland Revenue?

2. Is the Postmaster General aware that His Majesty's postal service is being used by the said Vincent for the free carriage of said pamphlet and other similar literature sent out by him?

3. Is it the intention of the Government or the Postmaster General to allow to the said Vincent the free use of the postal service for the carriage of the said pamphlet and literature?

Hon. Mr. LOUGHEED—My hon. friend has included in this question both the Government and the Postmaster General, and I have only the answers of the Postmaster General to the second and third questions. They are as follows:

2. No.

3. The Deputy Minister of Inland Revenue, like all other public officials, is governed by the regulations governing the franking privilege and the Postmaster at Ottawa has full instructions to see that the regulations are not violated.

Hon. Mr. LAVERGNE—Is Mr. Vincent employed by the Government? That question is not answered.

Hon. Mr. LOUGHEED—For the satisfaction and ease of mind of my hon. friend, I would say there is a gentleman of that name who is an official of the Government.

THIRD READINGS.

Bill No. 85, An Act respecting Seed Grain, Fodder and other relief.—Hon. Mr. Lougheed.

Bill No. 87, An Act for granting to His Majesty aid for Military and Naval defence.—Hon. Mr. Lougheed.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

Hon. Mr. POWER moved the adoption of the seventh report of the Committee on Internal Economy and Contingent Accounts. He said: This report appears at page 368 of the Minutes. I may say that the opinion of the sub-committee in the first instance was that there was no necessity for any of the changes, that things might have been left just as they were, that inasmuch as the vacancies occurred at the close of the session there was no absolute necessity for filling the vacancies at all, but then, having regard to the recommendation of His Honour the Speaker, and thinking that possibly some occasion might arise when the work of the Senate might be disorganized if the chief translator was taken ill, the committee desired to make the recommendation in the form in which it now appears. We recommend that Mr. Trudel's resignation be accepted and that Mr. De Montigny be appointed chief translator at the same salary he is receiving. Some hon. gentlemen were of opinion that Mr. De Montigny should receive the salary that Mr. Trudel has been receiving, but there is not anything in the Civil Service Act, or any other place that I know of, which renders that necessary. Mr. De Montigny's salary has been increased considerably since he entered the service of the Senate and he will receive, I think, an addition of $100 this year, and it is thought that next session, after we shall have had a trial of Mr. De Montigny as chief translator, if it is desired to do something special for him we can act in the matter.

Then as to Mr. Benoit, he is classified already in the House of Commons and his classification under the Civil Service law is not altered by his coming in here. I do not know whether we have the right to or not, but the committee took the risk of recommending that instead of coming in at $1,600, which is his present salary, his initial salary in our service shall be $1,800. I do not think it necessary to say anything further.

Hon. Mr. CHOQUETTE—The report had better be adopted item by item.

Hon. Mr. BEIQUE—I dislike to interfere with the report of the committee, and I think that my past conduct has shown that I seldom have done so. On the other hand, when I see a mistake is made and an injustice done, I do not feel like standing still without commenting on what I believe to be a mistake. I disagree with the reasons given by the hon. gentleman from Halifax in support of the report. Looking now to that portion of the report in regard to Mr. De Montigny, he is one of the best employees of the Senate. He is a man of high attainments and a fine scholar, knows his language to perfection, and possesses also a thorough knowledge of the English language, and is as well prepared as any man can be to perform the duties entrusted to him, and I believe I am not wrong when I say that he has performed his duties thoroughly well. I fail to see why, in the case of an employe such as he is, we should depart from the rules which have been solemnly adopted by this hon. House. In 1913 this hon. House decided that the rules which were obtaining in the House of Commons should be applied to this House as far as employees were concerned, and that the employees of this House should be paid the same salaries as are paid to such employees in the House of Commons. That was adopted, and I refer to the Journals of the Senate for 1912-3, p. 549 and following, The matter came on the recommendation of the Speaker on the 5th June, 1913:

> The Speaker of the Senate has the honour to recommend the adoption of the report of the Clerk of the Senate hereto annexed, and
>
> That the classification and organization of the staff of the Senate adopted by the Senate on the 13th day of May, 1909, be cancelled; and that the classification and organization as set forth in the attached schedule be adopted in lieu thereof, to take effect from the 1st of April, 1912.
>
> Hon. Mr. Landry,
> Speaker of the Senate.

Then the classification is to be found among the classifications of the French translation branch, and all the different classes of the Senate with the salaries mentioned. Then if hon. gentlemen will refer to pages 526-7:

The Order of the Day being read for the consideration of the recommendation of His Honour the Speaker, that the classification and organization of the staff of the Senate adopted by the Senate on the 13th May, 1909, be cancelled, and that the classification and organization as set forth in the attached schedule to his recommendation of this day's date be adopted in lieu thereof.

The Honourable Mr. Thompson moved, seconded by the Honourable Mr. Yeo.

That the said recommendation be adopted.

The Honourable Mr. Choquette, in amendment, moved, seconded by the Honourable Mr. Davis,

That the word "not" be inserted before the word "now" and the following words be added at the end of the question: "but that it be amended by placing Mr. A. Garneau, clerk of French Journals, and Mr. W. J. O'Neill, assistant clerk of stationery, in the second division, subdivision A."

With leave of the Senate the said motion, in amendment, was withdrawn.

The question being then put on the main motion, the same was resolved in the affirmative, and

Ordered accordingly.

I repeat that this action of the Senate was for the purpose of determining that the same rules which were applied by the House of Commons should be applied to like employees of the Senate.

Now, dealing with the employees of the class which I have mentioned, I fail to see how the committee can come to the conclusion that a departure should be made with regard to the salary of Mr. De Montigny. I fail to see how it can be legally done. If you will refer to the Civil Service Act you will see that the salary of each class of employee is determined by that Act; therefore, the moment the committee places Mr. De Montigny in a classification, the salary fixed by the statute is the salary he shall receive, and it is not within the power of the committee to say that he shall be paid any other salary. For both these reasons, and for the reason that it would be contrary to law, and for the reason that it would be, in my humble opinion, an injustice, I beg to move that the words in the clause be amended by striking out at the end thereof, the following words: "At the same salary he is at present receiving," so that the law will apply and the report will read that Mr. De Montigny be appointed chief translator.

Hon. Mr. THOMPSON—Before the motion is put, I desire to say that I differ from the position taken by the hon. gentleman who has just addressed the House. The Civil Service Act does not fix the salary of the individual employee but it fixes the classification in respect to individuals in the matter of promotion.

The chief translator Trudel, who has just vacated the position, became permanent in 1895, and was made chief translator in 1909. He continued at a salary of $2,200. He had $2,300 in 1910, in 1911-12 $2,300, in 1912-13 $2,300; in 1913-14 the date which my hon. friend referred to at the last day of the session, a classification went through the House which gave him an advance of $500, and made a new classification for him. I do not hold that no chief translator could have that classification unless promoted in the proper way under the Civil Service Act.

Hon. Mr. BEIQUE—What class does the chief translator occupy?

Hon. Mr. THOMPSON—The class that he occupied when he was chief translator was subdivision A of the first division; he was placed there in 1913-14 by the action of this House, as we have promoted individual servants of the House on the staff of one division or another. That absolutely does not fix for all time, apart from the action of the Governor in Council, who may be placed on the staff. Mr. De Montigny is receiving $2,400—two hundred more than the chief translator received when he was made chief translator of the Senate, and I want further to say that my remembrance of the reclassification is not that we adopted entirely the schedule of the other House in respect to salaries, because that was eliminated. The motion which has been referred to passed the House because of the lateness of the day and I moved its adoption when I had not read or understood that it changed the classification. I do not hesitate to say that in moving that resolution for the adoption of the report, or the recommendation, I misunderstood its contents. I had not supposed that by that action we were adding $500 to the salary, and I go further and say that action was not in accordance with the Civil Service Act, but it was done and it took effect. But now we are dealing with a gentleman who comes in here; I do not question his ability. He was satisfied to give us his services to the extent of his ability, for $1,900. He has been with us since 1910-11. Since that date we have added to his salary, so that he receives this year a salary of $2,400. We are simply giving him the title

of chief translator, and later, it will be proper to place this official of the Senate in another class if we so desire. But we are acting entirely in line with the action of this House in the past to place an employee in another division, because we have not reclassified them, excepting we made him chief translator and it does not follow under the Act that he would get the salary that belonged to, or was paid the gentlemen who have held that position formerly. I think the Senate is treating Mr. De Montigny fairly and justly. I understand that he did the whole of his work last year for less money, and we are making him chief translator with $100 added to his salary. Under these circumstances, the Senate should accept the report of the committee, who have gone carefully into the matter. We have dealt with it in a manner to serve the interest of the Senate and with a desire to do justice to all persons interested.

Hon. Sir MACKENZIE BOWELL—Some years ago the Senate established a certain classification for its officials. If the position to which this gentleman has been promoted places him in a class which entitles him to a certain salary, I see no reason why he should not accept the minimum salary of the class to which he is promoted. I do not argue that we have not the power to appoint a man at a lower salary, but the Senate in the past having adopted a rule and classification attaching a certain salary to a certain position, if a gentleman who is qualified to fill that position is promoted to it, why should he not receive the minimum salary of that class? I lay that down as a principle. Otherwise we had better repeal the classification altogether and leave it open to the Senate at any time to fill vacancies and pay any salaries they please. I am, therefore, disposed to vote for the motion of the hon. gentleman from De Salaberry. I have heard it stated—I give no opinion myself on the question—that the gentleman who is promoted to this position is well qualified for it. If he were not well qualified for the position of chief translator, he should not be appointed. Having been appointed, I think that he ought to receive the minimum salary attached to the class to which he has been promoted.

Hon. Mr. DANDURAND—In this discussion we are laying aside the rule which used to bind us, of not referring in the House to what takes place in committee. When the question came up of fixing the salary, the matter of the class to which the chief translator belonged was not discussed. We had sat to a late hour, and the chairman said that we could examine into the salary question more closely next session. That question of the absolute right of a party who is appointed to a position in a certain class, being entitled to the minimum salary which that classification calls for was, I confess, not taken into consideration in the committee. I may say that most hon. gentlemen have but the vaguest idea of the qualifications that are needed for such a position. If hon. members will permit me to cite my own experience, I may say that I was obliged at one time to do some important translation. With that experience I understand the difficulty of obtaining a translator possessing the necessary knowledge of the two languages to make a perfect translation. I was in Paris with Mr. Fielding, the late Minister of Finance, in January, 1909. Official correspondence was being exchanged between him and the French Government bearing on the Franco-Canadian treaty, and on an amendment which was being discussed at the time. I remember passing the whole of New Years' Day and the next day wrestling with documents which I had to translate from English to French and from French to English. We could not find a translator in Paris at that moment, and I confess I was very far from being satisfied with my work. A few months afterwards when I saw it in print amongst the official documents. I then realized the difficulties of the art of the translator. It is one of the hardest things to make a faultless translation. So that in appointing a chief translator for the Senate one must not imagine that every individual out of the ten first men you may meet, who have gone through a classical course, can be a good translator. The finding of a man who possesses a familiarity with the genius of the two languages, is one of the greatest difficulties to be met. We are fortunate in having a very competent chief translator in the person of Mr. De Montigny. Having made a classification of our staff in 1913, are we not bound by it as long as that classification stands, and should we not allow the minimum sum mentioned in that classification?

Hon. Mr. BOLDUC—I move that the debate be adjourned until this afternoon. I have something to study before making any remarks.

Hon. Mr. CHOQUETTE—This is a clear matter and a question of law. I do not see why the amendment of my hon. friend from De Salaberry could not be accepted. He puts the question most clearly, and I do not see how we can refuse it. The committee has reported that a certain party has been appointed chief translator. What have we to do with the salary now? As the hon. gentleman from De Salaberry said, the salary is fixed by the House.

Hon. Mr. POWER—No, it is not.

Hon. Mr. CHOQUETTE—The hon. gentleman from Halifax having voted for that, I do not see why we should take the time of the House to discuss it. I have only to refer to the Journals of the Senate at page 551 to see all the classifications and to see Mr. Trudel down at $2,400 as being the minimum salary of a chief translator. That is the classification. Is it possible, after a man is appointed to a position at the salary fixed by law, to go outside of the law and act illegally.

Take as an illustration an appointment to a seat in this House. The law says a senator shall have $2,500. The law says a judge shall have so much salary. Suppose the Governor in Council were to appoint a senator at a salary of $2,000. Would that be legal? I contend that that is a parallel case to this. The indemnity of a senator is fixed by law. A judge's salary is fixed by law. What power has the committee of the Senate to say that salaries for certain positions which are fixed by law shall be subject to change in certain cases? I do not dwell on the injustice of the matter; I say it is absolutely illegal.

Hon. Mr. POWER—I have looked up the report adopted on the 5th June, 1913, and I do not find that there is anything in that report which requires this Senate to place the chief translator in any particular class or to give him any particular salary. The Speaker submits the classification and organization, and it is fixed by certificate of the Clerk of the Senate. I shall just read the clerk's certificate. He says:

> Referring to a proposition made by yourself, dated the 30th of March, 1912, for the reclassification of the staff of the Senate, but which the latter thought best at the time to postpone to the present session of Parliament, I would respectfully suggest that such a reclassification of the staff be now made with the view of bringing the salaries of some of its members more in harmony with the salaries which are paid to similar members of the staff of the House of Commons.
>
> I have the honour to be, sir
> Your obedient servant,
> Samuel E. St. Onge Chapleau,
> Clerk of the Senate.

That does not say that our employees shall be all paid at the same rate as those of the House of Commons where the work is about two or three times as hard, and further, that action of the Senate does not tie our hands to-day. I desire particularly, as showing the interpretation that was put on the statute at that time by his hon. the Speaker and the Clerk of the House, to show that in this very classification, submitted by his hon. the Speaker on the recommendation of the Clerk of the House with respect to this very officer, F. G. B. Trudel, division 1-A he is appointed chief French translator at a salary of $2,400.

Hon. Mr. DANDURAND—If the hon. gentleman will glance at the top of the column he will find that is the actual salary.

Hon. Mr. POWER—It seems to me that it is just as well to be frank about this matter. Whenever any question comes up here which affects in the slightest degree the pecuniary interests of any of our French Canadian employees, every hon. member of that race is ready to defend it.

Hon. Mr. DANDURAND—I would ask the hon. gentleman if he can cite me a case when any one of another race is treated improperly, that we do not raise our voice on his behalf whether he be a Scotchman or an Irishman.

Hon. Mr. POWER—I have the floor, and I am simply giving my impression. I have never shown the slightest prejudice against our French employees. I have defended them on certain occasions when they were attacked, and have always tried to see that they got fair play, but I mention this as a remarkable fact in natural history, if you can put it that way, that whenever it is a question of any employee who happens to be a French Canadian, from the highest officer down to the junior page, you will find that hon. gentlemen who speak the French language line up in support of the proposition that the appointee should get a better salary.

Hon. Mr. CHOQUETTE—Order, order.

Hon. Mr. POWER—I have the floor.

Hon. Mr. CHOQUETTE—I rise to a point of order.

The SPEAKER--A point of order is raised; will the Hon. Mr. Power take his seat.

Hon. Mr. CHOQUETTE—I protest against what has been said. I am willing to take the part of the French people on every occasion, but last year I voted in favour of a gentleman who is not French—I voted that his salary should be increased.

Some hon. GENTLEMEN—Is that a point of order?

The SPEAKER—I should like to know from the hon. gentleman the point of order he raises.

Hon. Mr. CHOQUETTE—I wish to put my hon. friend right.

Hon. Mr. POWER—I wish it to be distinctly understood that I am not finding fault with our French Canadian colleagues.

Hon. Mr. CHOQUETTE—Then why do you say so?

Hon. Mr. POWER—I have not said so. I said it struck me as a curious fact in natural history.

Hon. Mr. POIRIER—What has natural history to do with this?

Hon. Mr. POWER—Human nature, then. I do not care how you put it. I cannot help expressing my admiration for the manner in which our hon. friends stick together.

Hon. Mr. DANDURAND—I am glad to find that the hon. gentleman——

Hon. Mr. POWER—I have the floor, and the hon. gentleman, who has been a Speaker of this House, ought to know better than to continually interrupt me. Having relieved my mind by making that observation, I wish to go on and point out that there is nothing in the law, nothing in the Civil Service Act, which says that our chief translator shall receive any particular salary. There is nothing which says he shall belong to any particular class. Section 5 of the Civil Service Act of 1908 says:

5. The inside service under the deputy heads, excluding messengers, porters, sorters and packers, and such other appointments and employments in the lower grades as are determined by the Governor in Council, shall be divided into three divisions.

2. The first division shall be divided into—

Subdivision A, consisting of officers having the rank of deputy heads but not being deputy heads administering departments, assistant deputy minister, and the principal technical and administrative and executive officers.

Subdivision B, consisting of the lesser technical and administrative and executive officer, including the chief clerks not holding office and not eligible for subdivision A.

3. The second division shall consist of certain other clerks having technical, administrative, executive, or other duties which are of the same character as, but of less importance and responsibility than, those of the first division. This division shall be divided into subdivisions A and B.

4. The third division shall consist of the other clerks in the service whose duties are copying and routine work, under direct supervision, of less importance than that of the second diivsion. This division shall be divided into subdivisions A and B.

We have a right to assume that Mr. De Montigny comes from that class. The committee have done their best, hon. gentlemen, to make things right. If the House chooses to think that this report should not be adopted, of course that is a matter in the discretion of hon. gentlemen. The committee have been trying to economize a little, and to manage the business of this House, which is the business of the country, to the same extent as a man would manage his own private business, and I do not think we should be discouraged in the way we are.

Hon. Mr. TAYLOR—I am a member of the committee, and we discussed this matter fully. I explained that I felt I was a trustee of the people, and had a right to look to their interests and to see that the money was not squandered. It was the opinion of some members that there was no necessity for an appointment of this kind, and that it could stand over until the next session. I suggested, in the interest of economy, that this service should be put up to competition, and that we should call for tenders for general translation and the translation of the Debates. I am satisfied we could save a large amount of money by so doing. I was opposed to the adoption of the clause in committee, but finally we agreed to the report and that we should support it in the House. It is the duty of the House to accept the report of the committee. Personally, I feel like moving that the clause be struck out altogether. That was my view in the committee, and I would prefer to have some other hon. senator move that, having agreed in committee to support the report. It was generally understood that we should all stand by the report of the committee. At this time we should see if we cannot save a few thousand dollars of the country's money, and we should, before next session, advertise for tenders for this work. I believe we would get it done better than

it is done at the present time. We should call for tenders for reporting and translating the Debates.

Hon. Mr. BELCOURT—I think we must all agree that the discussion which has taken place during the last half hour is one which is in every sense of the word, very regrettable. If on every appointment of an officer we are going to raise passions in this House, I do think it is to be regretted. Why was this classification made in the other House and in this House, except to avoid discussions such as we have had here this morning? Are we always going to haggle, bicker and barter every time we make an appointment and see if we can get an employee for $50 or $100 less than we have been paying? It is most unseemly that the Senate of Canada should spend hours of its time in solemnly discussing huckstering about something in a spirit which would hardly be worthy of the market. Why was this classification made if it was not for the purpose of avoiding this very trouble? Every time a question comes up in the House over the appointment of a doorkeeper or a charwoman we have this trouble; I repeat it, is regrettable, not only because of the character the discussion has taken this morning, but on general principles. The Senate of Canada might employ its time in a better way than in discussing these little things.

Hon. Mr. GORDON: After listening to the Speaker this morning, the natural conclusion would be that this House is composed of Frenchmen, Englishmen, Irishmen and Scotchmen. I am here in this House as a Canadian, and to consider every question that comes before us from a Canadian standpoint.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. GORDON—We should know no nationality, no race or creed.

Some hon. GENTLEMEN—Good.

Hon. Mr. GORDON—I am sorry that any person should intimate that the senators of this House deal with the questions that come before them otherwise than in the public interest. Looking at the matter from that point of view, and purely as a matter of business, I say the man whom the committee having recommended to be chief translator is being put there on the salary which was given to his predecessor when he took the office. The country is not in a position to throw money away at this time.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. GORDON—We should try to conserve our resources, even if it is only $100. My opinion is that the committee should treat this generously, and should be satisfied with the recommendation which has been brought in. For my part, I am perfectly satisfied with the recommendations of the committee.

The SPEAKER—The amendment is that all the words in the second clause be struck out after "translator."

The motion was declared lost.

Contents 21, non-contents 30.

Hon. Mr. POIRIER—I think it would be desirable that the debate that just took place on this question, in which insinuations have been made that are not exactly palatable to some senators of the Chamber, should be omitted from the debates. The official reports are quite long enough, very few people read them, and the report of this discussion should not be printed.

Hon. Mr. POWER—There was nothing indecent.

CRIMINAL CODE ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 74, An Act to amend the Criminal Code.

(In the Committee).

On clause 2:

2. The Criminal Code, chapter 146 of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section 75:

"75a. Every one is guilty of an indictable offence and liable to two years' imprisonment who incites or assists any subject of any foreign state of country at war with His Majesty to leave Canada, if the circumstances or the case do not exclude the possibility that assistance to the enemy is an intended object in his so leaving Canada, and if such inciting or assisting do not amount to treason."

Hon. Mr. LOUGHEED—So that we may go through this somewhat more methodically than we have been doing. I move the adoption of the second clause as amended.

Hon. Mr. BOSTOCK—Was it not proposed that the words "by him" should be inserted?

Hon. Mr. LOUGHEED—It seems to me unnecessary because the clause only deals with the action of the particular person who assists or incites, and there could not be any presumption that any other person was intended.

Hon. Mr. BEIQUE—I have given some consideration to this clause, and I must say that, from the nature of the subject, I am not in a position to suggest any improvement. It may be difficult to administer the law in practice, but I fail to see how the wording could be improved, except that I would ask the hon. gentleman if it would not be advisable after the word "Canada" to add the words "without the consent of the Crown."

Hon. Mr. LOUGHEED—That would throw the duty on the transportation company, before transporting an alien to the boundary line, to secure the consent of the Government. This is intended to cover a class of cases in which the Government would have no knowledge as to what is taking place. The circumstances would bring to the attention of the Government that certain assistance was being extended to aliens, and the charge is then laid. I think it would destroy the effect of it.

Hon. Mr. BEIQUE—You are creating an offence. It is not the intention to create a an offence in any case where the subject of a foreign state at war with this country leaves Canada with the permission of the Crown.

Hon. Mr. LOUGHEED—Oh, no, because otherwise, although he would be leaving Canada with the leave of the Crown, anybody might take proceedings against him or cause him to be arrested.

Hon. Mr. BELCOURT—It seems to me there ought to be a safeguard of that kind. Take the case of a transportation company. A person might be leaving without any intention of assisting the enemy, or he might have permission and still intend to assist the enemy.

Hon. Mr. LOUGHEED—No question could then arise.

Hon. Mr. BELCOURT—Even then we would have to establish the fact that he did not intend to assist the company.

The clause as amended was adopted.

On clause 4:

4. The following sections are inserted immediately after section 508:

"508a. Any person who, without the written consent of the owner of the copyright or of his legal representative, knowingly performs or causes to be performed in public and for private profit the whole or any part of any dramatic or operatic work or musical composition in which copyright subsists, shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars, or, in the case of a second or subsequent offence, either to such fine or to imprisonment for a term not exceeding two months, or to both.

"508b. Any person who makes or causes to be made any change in or suppression of the title, or the name of the author, of any dramatic or operatic work or musical composition in which copyright subsists, or who makes or causes to be made any change in such work or composition itself without the written consent of the author or of his legal representative, in order that the same may be performed in whole or in part in public for private benefit, shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding five hundred dollars, or, in the case of a second or subsequent offence, either to such fine or to imprisonment for a term not exceeding four months, or to both.

Hon. Mr. LOUGHEED—I understand the hon. gentleman from De Lorimier has some amendment to move to 508?

Hon. Mr. BOSTOCK—I was going to propose an amendment to the first subsection of section 4. After the word "subsist" in the 26th line, the words "in Canada" should be inserted, and the same thing in the next subsection, line 34.

Hon. Mr. POWER—It strikes me the amendment proposed by the hon. leader of the Opposition would emasculate the Bill. As it is now, where copyrights exist in Canada the whole copyright is protected.

Hon. Mr. LOUGHEED—Not by the criminal law.

Hon. Mr. POWER—These clauses were intended to protect outsiders.

Hon. Mr. DANDURAND—There was an error in the minds of hon. gentlemen which was created, I am afraid, by the hon. leader of the Government and myself. We treated these amendments to the criminal law as if they had for their sole object protecting foreign copyrights. There are two amendments of the criminal law for the purpose of giving increased protection to the copyright holder who has conformed to the Canadian law, and to any other, who, in virtue of treaties or of future Canadian legislation, may have copyright in Canada.

Hon. Mr. BEIQUE—It is important that we should know what is the feeling in other

countries which were parties to the Berne Convention. I understood the hon. gentleman was prepared to show that in Great Britain they have an Act which is practically on the same lines as this.

Hon. Mr. DANDURAND—Clause 11 of the Imperial Copyright Act of 1911 reads as follows:

If any person knowingly—
(a) makes for sale or hire any infringing copy of a work in which copyright subsists, or
(b) sells or lets for hire or by way of trade exposes or offers for sale or hire any infringing copy of any such work, or
(c) distributes infringing copies of any such work either for the purpose of trade or to such an extent as to affect prejudicially the owner of the copyright, or
(d) by way of trade exhibits in public any infringing copy of such work, or
(e) imports for sale or hire into the United Kingdom any infringing copy of such work,

He shall be guilty of an offence under this Act and be liable on summary conviction to a fine not exceeding 40 shillings for every copy dealt with in contravention of this section, but not exceeding fifty pounds in respect to the same transaction, or in the case of a subsequent offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

If any person knowingly makes or has in his possession any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be guilty of an offence under this Act, and be liable on summary conviction to a fine not exceeding fifty pounds, or, in the case of a second or subsequent offence, either to such fine or to imprisonment with or without hard labour, for a term not exceeding two months.

Then I shall refer to the French law.

Art. 425. Any publication of writings, musical compositions, sketches, pictures, or of any other production being partly or in the whole either in print or engraving, made in breach of the laws and regulations concerning the right of ownership of authors, is an infringement of copyright and any such infringement is a misdemeanour.

Art. 426. The sale of infringing copies, the importation into France of works which after having been printed in France were pirated abroad is a misdemeanour of the same kind.

Art. 427. The penalty against any person guilty of such infringement and against the importer is a fine of from 100 to 2,000 francs, and against the sellers of from 25 to 500 francs. The seizure of infringing copies shall be ordered as against the importer and the seller. The plates, casts and matrices of the counterfeited goods shall also be seized.

Art. 428. Any director, entertainment manager, company of players who shall cause to be performed in his or their theatre, dramatic works in breach of the laws and regulations concerning the right of ownership of the authors shall be liable to a fine of from 50 to 500 francs and to the seizure of the proceeds.

Art. 429. In the cases set out in the four above articles such proceeds shall be handed over to the owner in order to indemnify him as far as possible, against the loss he has sustained. The balance of the damages due to him, or the whole of the said damages, if there has been no sale of the confiscated goods or seizure of the proceeds, shall be assessed in the usual way.

The United States have as well a penal Act against those who infringe the copyrighting in one form or another. New Zealand has enacted summary remedies for the protection of copyright in IV George V, 1913. The New Zealand law is similar to the English Act. Germany has also a penal Act against piracy. It was asked whom will these clauses protect? They will protect all parties who have either protection by registering in Canada, or other parties who, by virtue of international treaties binding Canada, may have copyright in Canada. The question has been asked, since the United States have not adhered to the Berne convention, United States, could the copyright holder enforce these rights under the United States copyright. I say no, he could not. He has no privileges in Canada. A United States copyright holder who wants to protect his rights in Canada will have to conform to Canadian copyright. He will have to print his book in Canada and have it registered under the Canadian copyright. Otherwise he would have no standing in Canada. There is the same reciprocity for a Canadian in the United States. He is on the same plane. If he wants to protect his work in the United States, he has to have it reproduced in the United States and registered there. So that we are on perfect equality with all other nations who have not adhered to the Berne convention, which is under the form of a treaty between nations, and which has been superseded or completed by the Berlin convention, to which Great Britain has adhered, but she has adhered to it without binding the Dominion, and since that Act was passed by the British Parliament it is left to the Dominions themselves to declare whether they will adhere to any international arrangement such as the one called the Berlin convention. This legislation has nothing to do with any country which has no treaty arrangement with Canada.

Hon. Mr. BEIQUE—I appreciate the explanations which have been given by the hon. gentleman and, as I stated yesterday,

if it were shown that the countries which were parties to the Berne convention had made it an offence to infringe upon copyrights, it would go a long way towards satisfying my mind on the subject, and I do not propose to raise an issue. I am satisfied on that head, but I call the attention of the hon. leader of the Government to the vast difference between the clauses as drafted in this Bill and tne law as it stands on the statute book in England, or France, which has been read by the hon. gentleman. I call attention to the very important fact that it is necessary for the creation of an offence, that there be an infringement of the rights, whereas here, with the wording which has been adopted. it is not necessary that there should be any infringement, because we are using words which are altogether too wide, " Or the name of the author of any dramatic or operatic work or musical composition, etc." I venture to say there are many parts which are common property which can be used by anybody, and with this wording you make it an offence to use any part whatever. Surely these words should be stricken out, and we should substitute, as in the English Act, the words " as will constitute an infringement of the rights of the author."

Hon. Mr. BELCOURT—That would spoil the whole Act.

Hon. Mr. BEIQUE—Does the English Act not go that far?

Hon. Mr. BELCOURT—I do not understand so. If you strike out the words, " or in part," it would destroy the whole value of the measure.

Hon. Mr. LOUGHEED—If the word " infringement " were used that would have a well-established legal definition.

Hon. Mr. BEIQUE—That is my suggestion.

Hon. Mr. LOUGHEED—After the words " private profit " we might add " any infringement of any dramatic work, or knowingly infringes."

Hon. Mr. BELCOURT—There would be no infringement supposing no changes were made whatever.

Hon. Mr. LOUGHEED—If any part that was copyrighted were used, that would be an infringement. It seems to me it would be a more suitable word to use than " in whole or in part."

Hon. Mr. DANDURAND—I do not appreciate the value of the argument of my hon. friend. The first clause reads as follows:

> Any person who, without the written consent of the owner of the copyright or of his legal representative, knowingly performs or causes to be performed in public and for private profit the whole or any part of any dramatic or operatic work or musical composition in which copyright subsists, shall be guilty of an offence.

What is the part of this clause to which my learned friend takes exception?

Hon. Mr. BEIQUE—" Or any part."

Hon. Mr. DANDURAND—Then you would free any one who would substitute a part of a drama of three acts?

Hon. Mr. BEIQUE—I do not object to the words " and any part," provided you have the words " constitutes an infringement " after the word " part."

Hon. Mr. DANDURAND—I do not know where that leads us to.

Hon. Mr. BEIQUE—You will not deny that there are in works things that are common property, but it is the whole work which forms the copyright. By borrowing only part of it you may constitute an infringement, but it will not be an infringement if you borrow some part of it. You can borrow from almost any work some part without constituting an infringement; that is the point to which I am calling attention. Whether it be a large or small part which is borrowed, it must constitute an infringement of the right of the author; otherwise you could not expect that it would be an offence.

Hon. Mr. DANDURAND—It is so self-evident that I wonder why it should be inserted.

Hon. Mr. LOUGHEED—The insertion of these three words after the word " part " should " constitute an infringement." It seems to me that would be declaratory or explanatory of what we have in view. I move the adoption of section 508-A as amended by adding three words after the word " part " in the 24th line, and the words " in Canada " after " substitutes " in the 26th line.

The motion was adopted.

Hon. Mr. LOUGHEED—In section 508-B I move that the words " in Canada " be inserted after the word " subsists."

Hon. Mr. DANDURAND—It is a disfiguring of the word.

Hon. Mr. POIRIER—Putting in the word "Canada" will nullify the object we have in view. In France and Belgium there are over 50,000 dramatic authors recorded. Their work is for the benefit of troupes or private parties. Many of these are not registered in Canada, but they are registered in the old country.

Hon. Mr. LOUGHEED—If they comply with our copyright law they are protected.

Hon. Mr. POIRIER—"Constitute an infringement" would be sufficient. We in Canada should fall in line with other civilized nations and protect copyright property as we do patents. We are quite behind other countries. We are still hanging on to the Convention of Berne of 1886. Since that time there was a convention in Berlin in 1908, and one in England in 1911 in which most civilized nations took part except Canada and the South African colonies. We should come in line with other nations and give protection to those who create works of imagination and see that their works are not pillaged. I think "infringement" is sufficient without having the words "in Canada" inserted as proposed by the amendment.

Hon. Mr. BELCOURT—I should like to call attention to the fact that this clause 508B provides that people who make, or cause to be made, any change will be guilty of a criminal offence. Not the simple fact of making a change in the solitude of my library and leaving it there would constitute an offence.

Hon. Mr. LOUGHEED—No, you have to do it for private profit.

Hon. Mr. BELCOURT—I think you should carry it a little bit further. There must be publication.

Hon. Mr. LOUGHEED—You would not be doing it for private profit.

Clause 508B, as amended, was adopted.

Hon. Mr. WATSON—I intend to move for the restoration of clauses 5, 6, 7 and 8 in this Bill and I give notice that I shall do that on the third reading.

Hon. Mr. LOUGHEED—I would suggest to my hon. friend from Ottawa that he give further consideration to the suggestion that he has made before the Bill is read the third time, and if there is anything in the point he makes we can correct it.

Hon. Mr. DANIEL, from the Committee, reported the Bill with amendments.

The Senate adjourned until this afternoon at 3 o'clock.

Second Sitting.

The Speaker took the Chair at Three o'clock.

Routine proceedings.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 105, An Act to amend the Government Railways' Act and to authorize the purchase of certain railways. He said: It is proposed to authorize the Governor in Council to construct, purchase and lease such roads as may be necessary to operate with the Intercolonial railway system. It is proposed that the Government should have power to acquire, subject to subsequent appropriation by Parliament, roads less than 200 miles in length, and the construction of roads up to 25 miles in length. For the acquisition of roads that exceed 200 miles in length, and the construction of roads which exceed 25 miles in length, an appropriation must be first made by Parliament. This Bill makes further provision for the purchase of two particular roads, one being the railway known as the International railway, extending from the Intercolonial railway at Campbellton to St. Leonard on the St. John river, a distance of about 112 miles, together with the rolling stock and the real and personal property of every description owned by the road. In the meantime, this road is being operated by the Government. The purchase price is to be $2,700,000. Pending the appropriation by Parliament of the purchase money, it is being operated at a rental of $90,000 per annum payable in equal half yearly instalments. The other road which has been acquired by the Government, and which is being operated in connection with the Intercolonial railway,is known as the New Brunswick and Prince Edward Island Railway, extending from the Intercolonial railway at Sackville to Cape Tormentine in the province of New Brunswick, a distance of about 36 miles, together with its branch lines, telephone instruments, rolling stock, real and personal property of all kinds and descriptions. The cost of this road will be $270,000. In the meantime, it is being handed over by the company on an interest basis of 4 per cent per annum from the 1st of August, 1914. The Government, there-

fore. seek authority under this Bill not only to acquire those two roads for the consideration which I have already pointed out, but generally to acquire other roads, or to construct roads as indicated in the Bill, in connection with the Intercolonial railway system under the terms, conditions and restrictions provided for in the Bill.

Hon. Mr. CASGRAIN—If I understand, it is only railways that are tributary to the Intercolonial railway.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CASGRAIN—Because an idea prevails that the Government intends to buy some other lines not at all connected with the Intercolonial railway, and on the other side of the river. I think it is just as well to dispel that idea. I know myself that it is not so.

Hon. Mr. BOSTOCK—This Bill, or something of a similar nature has been before this House on a former occasion.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—I may say the Bill has been considerably improved in its form since it first appeared in this House. The first clause deals with the question of empowering the Minister of Railways to purchase a road of less than 200 miles in length without coming to this Parliament for any special legislation to ratify the arrangement that may be made. We discussed that question in this House before, and on a former occasion an amendment to the Bill was made. The Government having done what the Senate on former occasions suggested they should do in every case. I do not see why they seek a general power when they have inserted in the Bill the particulars concerning the actual roads that they propose to purchase.

They put before Parliament an agreement, and now they come and ask that special agreement to be ratified. They have done that in the case of the International Railway in New Brunswick and the New Brunswick and Prince Edward Island Railway. I do not quite see, therefore, why they thought it necessary to have the first clause of the Bill giving them this general power. If they can do it in the case of these two railways why not do it in the case of other railways when they found it necessary to buy them? This first clause was, I understand, amended to some extent in the House of Commons, and this House ought to give some consideration to a clause which empowers the Government, if I understand it aright, to purchasing a road of less than 200 miles without it being necessary to come to Parliament to have the agreement ratified. Of course the amount of money required for the purchase of the road has to be placed in the Supply Bill, and to that extent it must be ratified by both Houses of Parliament; but if it is not brought in as a separate measure, it does not put the Senate in a good position to discuss the question. The hon. leader of the Government has not given us any very distinct explanation as to why the Government have considered it necessary to enact the first clause of this Bill.

Hon. Mr. LOUGHEED—We have assumed that Parliament would be prepared to ratify what the Government has done respecting those two roads. It is very desirable, however, that Parliament should make a declaration as to what authority the Government has in reference to the acquisition of roads that are to be operated in connection with the Intercolonial railway. We have made provision for two classes of roads, one of which the two roads mentioned would fall within, namely, authority being vested in the Government to acquire that kind of a road subject to an appropriation being necessary for its acquisition. Then there is the larger class of undertaking, existing roads exceeding 200 miles in length, and roads 25 miles in length to be constructed. It is considered undesirable that the Government should enter upon the responsibility of negotiating for the acquisition or undertaking the construction of that class of road without first obtaining authority from Parliament. I have pointed out to the House the distinction between the two classes of undertakings for which we have made provision in the Bill.

Hon. Mr. BEIQUE—May I ask why it should not apply to a railway exceeding 25 miles? Why make the distinction between 200 and 25 miles?

Hon. Mr. LOUGHEED—In the roads of 200 miles, we are dealing with an undertaking now in existence. We can purchase 25 miles subject to ratification by Parliament, but we could not enter upon the construction of 25 miles without permission. It may be that a road already constructed and in operation in connection with the Intercolonial railway is not such a serious undertaking as one that would open up new territory. The Parliament of

Canada should have something to say as to the construction of new roads, but as to old roads that are manifestly feeders of the Intercolonial railway, the responsibility is of entirely a different character.

Hon. Mr. BOSTOCK—This Bill only deals with the Intercolonial railway. It has nothing to do with the National Transcontinental railway?

Hon. Mr. LOUGHEED—Nothing whatever.

Hon. Mr. CLORAN—Will the Government tell the country what it means by New Brunswick and Prince Edward Island, where is the connection?

Hon. Mr. LOUGHEED—You will see the connection in schedule B of the Bill.

Hon. Mr. CLORAN—I think the Government should give the information when it is demanded.

Hon. Mr. LOUGHEED—I have given it already.

Hon. Mr. CLORAN—Where is the connection between New Brunswick and Prince Edward Island?

Hon. Mr. DOMVILLE—The water.

Hon. Mr. CLORAN—That is quite liquid.

Hon. Mr. MURPHY—The New Brunswick and Prince Edward Island railway connect at Sackville with the main line of the Intercolonial railway, and it is to form a connecting link with the two systems and the new car ferry which will be completed next year.

Hon. Mr. CLORAN—If the Senator who represents Prince Edward Island is satisfied that this railway scheme is going to benefit the island, I have nothing more to say. I do not think they connect very well together except over a vast expanse of water. I am of the opinion that the Government should be empowered to acquire roads already built that connect with the Intercolonial railway, but why should they be given power to construct new branches? We are prepared to stand by the Maritime Provinces in their poverty and distress, but why should we give power to the Government to construct new branches that would be almost as useless as the ones already constructed.

Hon. Mr. DANDURAND—The Government already has the right, by the Act of 1910, to lease any or all of these branch lines that are feeders of the Intercolonial railway, and I should like to refer to chapter 25 of that Act which was assented to on the 4th of May, 1910. A long debate took place in the Senate upon the propriety of giving the Government that power. After that discussion had taken place, and after the Bill had been reported from the committee, we surrounded that power with considerable safeguards. If I am not mistaken, we added to the Bill a clause stating that no such lease should be signed until it had been submitted to Parliament for its ratification. But we went much further, and I direct the attention of hon. gentlemen to the fact that the vast majority of this Chamber was supposed to be in sympathy with the Government of the day. This Chamber went much further and added:

> Provided that no such lease shall have any force or effect, nor shall any such railway be entered upon or operated by the Government of Canada until such managing board—

There was then a managing board for the Intercolonial Railway—

> —and the said chief engineer shall have approved the terms and conditions of such lease having regard to the beneficial results therefrom to the Government railways, and until the Parliament of Canada has first ratified such lease.
>
> 2. The said board shall, in their report to the minister recommending the lease of any line of railway,—
>
> (a) give their estimate of the cost of such line, and such information as they are able to give of the moneys received by the company owning the line from the sale of bonds or by way of bonuses or otherwise;
>
> (b) state the then present equipment of the road, together with the average rate of freight and charges for passengers on the same and a comparison of such rates with those charged on the Intercolonial railway;
>
> (c) the total receipts and expenditures for three years last past;
>
> (d) an estimate of future receipts and expenditures in the event of the road being leased as a branch of the Intercolonial railway.

Now, this was the part which the Senate of Canada played in safeguarding the interests of Canada in the leasing of those railways. I feel quite proud, and I think that any one who reads this resolution—which is only similar to other legislation to the credit of the Senate—will find that we discharged our duty fearlessly and independently at that date.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANDURAND—A similar Bill was brought in last year by the present

Government to go one step further—to appropriate a right to purchase, by order in council, lines of railway which were less than 200 miles in length. I do not need to emphasize the fact that a railway 199 miles long represents quite a number of millions of dollars; yet the Government was simply asking that it be authorized by order in council to bind Canada for the purchase of branch lines of the Intercolonial in the hands of independent companies, and to commit the country to the expenditure of millions and millions of dollars. Well, what did this Chamber do? It said that the contracts must first be ratified by Parliament. The Senate, having a majority which was supposed not to be in very warm sympathy with the Government of the day because of its present constitution, said that it should not go as far as it had gone in 1910 when the majority was in sympathy with the Government.

We simply moved an amendment to provide that those contracts must first be ratified by Parliament. This was voted upon, and the Government refused to accept our amendments. In the game of politics, what did we see? The Conservative organs representing throughout the length and breadth of the Maritime Provinces that the Senate had killed the Bill which empowered the Government to buy those railways. It was a dishonest argument. No one would stand up here and say that it was an honest statement of the situation. Nevertheless that argument was used. The telegraph wires were kept hot for 24 hours after we took that stand, libelling the Senate, affirming that we were partisans and had committed a partisan act. I ask my hon. friend opposite to compare the stand that we had taken in 1910 and the stand we took last year. Why was this amendment refused by the Government? We have been told that the Minister of Railways was not in sympathy with this Act, did not want to buy those branches, that the representatives in the Cabinet of the Maritime Provinces were favourable to the purchase or lease of those feeders to the Intercolonial railway, but that the Minister of Railways was very glad to be able to say, "I have made an offer to buy or to lease those railways, but the wicked Liberal majority in the Senate was in the way and prevented me from doing so." That is what we heard all round this building, that the Government had done the nice act towards the Maritime Provinces, but evaded the responsibility by simply refusing to accept that very conservative amendment which we made in the interests of Canada, and in the interests of the proper administration of affairs by the two branches of Parliament. This Bill is presented to the Senate. I admit that the Government, or the House of Commons, has gone a certain way towards meeting the objection that we had to adopting this legislation last year. It has added this proviso:

> Provided that no contract for the construction of a line of railway exceeding 25 miles in length shall be entered into, or the purchase price of any such railway or other work be paid, until after a sum of money for the purpose has been appropriated by Parliament.

It goes without saying that whatever contract a Government enters into, if no money is voted by Parliament for the payment or purchase of a railway, the Government is without power to carry on that contract. Yet there is here an affirmation that the contract will not be binding until the money has been appropriated by Parliament. This is a long step towards satisfying the just demands of this Chamber, that Parliament should retain a certain control. I believe it is not absolutely satisfactory to the Upper Chamber, for the simple reason that we may practically abridge our right to express our disapproval of a transaction when submitted to Parliament. The Government will have to come before the House of Commons to ask for money to carry out the contract. But, as my hon. friend the leader of the Opposition has said, it can be put in the Supply Bill, and then what will happen? Of course we could discuss the intrinsic value of the contract, but if this Chamber should disapprove the action taken by the Government, its only recourse would be to reject the Supply Bill. I draw the attention of my hon. friend to the fact that this is not special legislation to affect certain acts to be done within the next twelve or twenty-four months, but this is an Act to go on the statute book forever. I am speaking generally in the interests of the authority and jurisdiction of this Chamber. Men will come and go: governments will come and go, but this Act will still be there, and I speak, in consequence, in the general interests of the Senate at large, irrespective of the fact that Liberals may sit to the right or the left of the Speaker, because this Act will have to be applied whenever it may please the Government to include in a supply Bill a certain amount of money for the purchase of one of those branches. I would suggest to my hon. friend, the leader of the Government who, beside being a

Minister of the Crown, is a member of this Chamber, and as such has the obligation, it seems to me, jointly with all other members, of safeguarding the authority of this Chamber that he should consider the amendment which I would make to this Bill. After this proviso:

Provided, further, that no contract for the construction of a line of railway exceeding twenty-five miles in length shall be entered into or the purchase price of any such railway or other work be paid until after a sum of money for the purpose has been appropriated by Parliament.

I would add the following:

The appropriation for such purpose to be by special Act.

If this amendment were made, whenever a Government asks for money to meet the obligations entered into in connection with the purchase of one of those railways, it would have to introduce special legislation, and could not include the item in the General Supply Bill. Then the Senate would retain the right of passing on this demand independent of the Supply Bill, and would retain its full right to exercise its authority as a second Chamber. Otherwise the obligations would be upon the Senate, if it strongly felt that the contract was objectionable, to reject the whole Supply Bill. I feel that on this matter I am simply voicing the sentiment which should animate every member of the Senate, and would rely upon the Government and its immediate friends of this Chamber to do one-fourth of what we did in 1910 towards our own friends in power, and thus safeguard completely the rights of this Chamber in discussing freely and in retaining our right to deal with any such important measure on its merits, because in this matter we are dealing in millions. Now if the Government, after examining this small amendment which I suggest, refuse to accept it, then the Senate must decide whether it will insist upon the amendment, or rely upon it to deal with it whenever it comes to us in a Supply Bill, without regard to consequences.

Hon. Mr. DOMVILLE—I have listened with a great deal of admiration to my hon. friend's speech. He is a clever man, but I would remind him that this is a Maritime Province question, and not a Quebec question.

Hon. Mr. DANDURAND—I have not treated it from that point of view but from a higher point of view.

Hon. Mr. DOMVILLE—That higher point of view killed these roads last year. We must drop politics out of this. I am not a politician, I am a statesman. Whether we are in power or out of power we have a right to certain consideration. I am not a supporter of the Government. Liberals and Conservatives are alike interested in this matter: they want to see those roads acquired and built. I could name a whole lot of them.

Hon. Mr. DANDURAND—Has the action of the Senate last year prevented the Government from entering into the two contracts which are now submitted to us for endorsation?

Hon. Mr. DOMVILLE—It evidently did.

Hon. Mr. DANDURAND—No, you have evidence to the contrary in your hand.

Hon. Mr. DOMVILLE—The hon. gentleman's attitude towards those two companies is adverse to the Maritime Provinces.

Hon. Mr. DANDURAND—No, not at all.

Hon. Mr. DOMVILLE—We have in the Maritime Provinces railways that the Government of Canada never contributed a cent towards. They were financed by the local Government trying to develop the country. Any arrangement that can be made whereby these railways will contribute to the earning power of the Intercolonial railway will be helping the people of this country. I do not know anything about the legislation of 1910. I am looking at to-day and the future. The Government show every disposition to do something to facilitate the development of the country through these branch lines, which are not able to take care of themselves. They were built largely by private means, and we are asking the country to do something to help to work out the destiny of the Maritime Provinces. I would just as soon vote for a Conservative measure to-morrow as for a Liberal measure if it was a good one.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. DOMVILLE—I am not bound to any party leader; I am working for the whole country and for the Maritime Provinces. We have done our part in the past, and we are not suffering to-day. We are doing well; the farmers are making money, and we are all happy. We are only asking that we should be helped in something that is necessary for the development of the country. What difference does it make what Government is in power? Governments

appear and disappear. I have the happy record of outliving them all since New Brunswick entered the union. My hon. friend on my left (Sir Mackenzie Bowell) and myself are the only two that are left of the 1872 members. I am not here representing the lower provinces only, but I am here representing the whole country. The Liberal party balked this Bill last year. There is no use denying it; they balked it and the Government of the day did not accept it because of some amendment that I do not understand. The question may come up as to whether the Liberal party are going to place an impediment in the way of passing this Bill that will risk its being carried out. We have all considered the Northwest; we have helped them, but we have not been very lucky in the Maritime Provinces. In a great many years we have only had one knight, as against ten or twenty appointed from other sections of the country, but we are a democratic people, and all we want for New Brunswick is a chance to build up the trade of the country. Any hon. gentleman who knows anything about a railroad knows that it cannot be operated properly unless it is in good shape, and it will not help to create trade unless it is run in a proper way. We demand that these branch lines shall be placed on such a basis that they can be worked satisfactorily, so that the trade of the country will grow. If they are put in proper shape the country will develop. I believe the Intercolonial railway and the Government will not lose anything by passing this measure; I believe it will assist the Intercolonial railway in a great many ways. I cannot follow my hon. friend when he speaks about the protection of the Senate. The Senate is not here to throw out this, that or the other Bill because the majority may be on one side or the other. The Senate should be a patriotic body.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. DOMVILLE—The Senate should have statesmanlike views. They should not look at the history of the past, but they should look to to-day and the history of the future, and should ask what effect is this Bill going to have on the country. Why should the hands of the Government be tied if they are willing to bring in this Bill to help develop the country? Why should they not be given a chance to carry out this measure? My hon. friend says it will last forever on the Statute Book, but I say that is not the fact, because if there is a change of Government to-morrow the new Government might consider it advisable to amend this Bill. I do not think my hon. friend has done full justice to the Maritime Provinces. My hon. friend said something about the Prince Edward Island branch. This road will give connection from Sackville to Cape Tormentine and that is something that is wanted. This branch line was projected by men in the olden days who did not have the means to carry it out in a proper way, but it is running to-day and makes a short cut and when it is put in proper shape it will help to build up the trade of the country. This short line will assist the fishermen and will create a lot of trade. If the Maritime Provinces are to be sacrificed by the province of Quebec and Labrador and Ungava, and if we are to be considered as having no voice in the Administration of this country let us know it at once. If it is a political move then I am against it. If it is to safeguard the Senate I cannot see where the safeguard comes in, because the Government only has the right to acquire a line by lease with the right to purchase afterwards and any agreement to purchase must be sanctioned by Parliament. Why should the Government be hampered by an amendment to this Bill when it is for the purpose of helping the Maritime Provinces? Why should we make any amendment which will create a difficulty and prevent the Government of the day from carrying out a policy that will help that part of the country.

That is how it strikes me, and I will hold this House responsible—Liberals and Conservatives both, if they stand for any enactment, amendment or any thing else, that will interfere with the great development that may result from the action of the Government. Now, is that a fair way of putting it?

Hon. Mr. DERBYSHIRE—Yes.

Hon. Mr. DOMVILLE—I see nothing else. I shall vote with or against the Government to-morrow on anything that in my judgment relates to the welfare of Canada.

Hon. Mr. WATSON—Will you?

Hon. Mr. DOMVILLE—If it suits me, I will, but I do not see why we should embarrass the Government in carrying out their policy or give them an opportunity of

saying: "Well, the Liberals have thrown difficulties in our way, though we were willing to help the Maritime Provinces." The whole of these provinces will rise as one man against anybody here who endeavours to baulk the Government in doing that which will promote our best interests.

Hon. Mr. WATSON—That does not frighten us. We are independent electors.

Hon. Mr. McSWEENEY—I have been over that line from Campbellton to St. Leonards, that the Government are buying at about $25,000 a mile. I was amazed to find the number of people that have settled along that line. The road runs through a virgin country, and within the last three years about 500 or 600 families, or about 3,000 people, have gone into that part of the country. It is a cheap road and will be of very great benefit to settlers. There are thousands of acres of land in that section still to be settled, and if they have gone in at the rate of 200 a year for the last three years, or a total of 600 families, the acquisition of the road, I say, is a very good bargain for the Government. Last year the hon. gentleman from Rockland and myself were, I think, the only two Liberals who voted for the Bill. I was conscientious in supporting it then, and I shall vote for it now. The Prince Edward Island road of 36 miles is being bought by the Government for $270,000, which is only about $8,000 a mile. Certainly it is not in the best condition, but I believe since they have been running it, they have put it in good condition, and the line is necessary to carry on communication between the Island the mainland. I am satisfied they are both good bargains, and I shall certainly vote for the Bill as it is.

Hon. Sir MACKENZIE BOWELL—Is that road in good condition?

Hon. Mr. McSWEENEY—The Government have put it in good condition.

Hon. Mr. MURPHY—Last year I had reason to animadvert rather severely on the action of my hon. friends on the other side of the House in the amendments they made to a Bill something along the same line as this, that had for its object the acquisition of branch lines in connection with the Intercolonial railway in the Maritime Provinces. I pointed out at that time that we had been more than generous in the support of railway construction in all parts of Canada; that we had contributed our quota to the grid-ironing of the whole Northwest, of the provinces of British Columbia, Alberta, Saskatchewan, Manitoba, and even portions of Ontario and Quebec, and that it was a very small return we were receiving in the effort the Government of the day had made at this late date to take over those branch lines, which had been built with the money of the people of the Maritime Provinces, and connect them with the Intercolonial railway. I also pointed out that the effect of that amendment then proposed would be to delay the acquisition of those branch lines and thereby prevent the proper development of the Maritime Provinces. That this has been the case nobody will deny. It is true that two branch lines have been acquired—the branch line already referred to between Sackville on the main line of the Intercolonial railway and Cape Tormentine to connect with the car ferry under construction, without which the expenditure of money on the car ferry would be a farce, and also this line to the International boundary to which my hon. friend from Moncton has referred. As he very well says, the effect of that acquisition has been shown in the number of settlers that have located along that line. Now it must be patent to any one that where there is a good deal of virgin soil, as in the province of New Brunswick, and also in Nova Scotia, where lines have been built. It pays the Government in the development of the country to acquire those lines, link them up with the Intercolonial railway, and thereby encourage settlers to go in and take up land by assuring them of proper transportation to the main arteries of commerce in Canada. Hon. gentlemen very well know the effect of the acquisition of the Drummond County railway which is now a division of the Intercolonial railway, from Lévis to Montreal. A good deal of discussion took place at the time as to the price that had been paid, but the Government is now paid double for it by the number of settlers that have gone in and taken up land on that line of railway. Like the hon. gentleman from New Brunswick, I should be very sorry to see anything interjected in this Bill in the way of an amendment that would for a moment be the cause of giving an excuse for deferring the acquisition of those branches, and I give the hon. gentleman credit for feeling about the same way. High-minded gentleman as he is, and a patriotic member of this House, as I know him to be, he would very much regret to introduce an

amendment such as this if he thought it would be the means of setting at naught the effects of this legislation on the Maritime Provinces. Though this amendment is very small — only a line or two,—yet it would have a very unfavourable effect on the Bill. My hon. friend says that the effect intended is to maintain the supremacy of this branch of Parliament, or at least its co-ordinate rights in the legislation of the Parliament of Canada. Well, to a certain extent the views are correct, but I think under ordinary circumstances the Parliament of Canada and the Senate are sufficiently safeguarded by having the right to condemn the Government, even if necessary to veto the Supply Bill if anything were proposed that would be so nefarious that they would feel justified in taking such an extraordinary step as that. I hope the hon. gentleman will not press his amendment lest it should have the effect of the amendment of last year, and thereby throw a cold douche on the acquisition of branch lines in the Maritime Provinces, and the giving to us of the rights we should have had long ago, of proper facilities for transportation to every other part of Canada.

Hon. Mr. DAVIS—My hon. friend alluded to the fact that while the Maritime Provinces were getting a certain amount of branch lines, the West was covered with branch lines. I want to tell my hon. friend that any branch lines in the West have been built by our own people. We guarantee our own bonds and do not go to the Government to build our branch lines.

Hon. Mr. DOMVILLE—The branch lines my hon. friend is talking about in the Maritime Provinces were largely built by the people of New Brunswick. In Salisbury and Kent there is not a dollar of Dominion money.

Hon. Mr. MURPHY—We had built the trunk lines that made those branch lines possible; not to-day, but for 20 years we have been building those trunk lines.

Hon. Mr. DAVIS—My hon. friend forgets the fact that the Intercolonial railway was built with borrowed money, and the people of the West have to pay their share of the cost.

Hon. Mr. DOMVILLE—They have never paid a cent on it.

Hon. Mr. POWER—I think the hon. gentleman from Prince Edward Island misapprehends the intentions of the hon. gentleman from De Lorimier, who will correct me if I am wrong, when I say that all he did was to indicate that when the House went into committee on this Bill it was possible that an amendment might be moved in the direction which he indicated.

Hon. Mr. MURPHY—Pardon me; I thought he submitted the amendment. If he did not, I will take it back.

Hon. Mr. POWER—I think there is no intention on the part of any member on this side of the House to move against the second reading of this Bill.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. POWER—What is felt is that when we go into committee it may be desirable to make some amendments; and that is what we are here for. Now, I wish to draw the attention of the House to a rather singular circumstance, as it seems to me, in connection with this Bill, and it is just as well to do it before we go into committee. I might say that there is no objection to ratifying the contracts which, under the second and third clauses are ratified; but as to the clause which deals with the future, I think there is very great necessity for some amendment. Now, this first clause provides this way:

> Provided that no contract for the construction of a line of railway exceeding twenty-five miles in length shall be entered into for the purchase price of such railway or otherwise be paid until after a sum of money for the purpose has been appropriated by Parliament.

Now, hon. gentlemen will see that the Government cannot build a line 25 miles in length unless there has been an appropriation of the money for the purpose by Parliament beforehand.

Hon. Mr. DOMVILLE—Hear, hear.

Hon. Mr. POWER—But as I read the clause, there is nothing in it to prevent the Government from entering into a contract for the purchase or lease of a line 199 miles long, even though no money has been voted by Parliament. I may be mistaken, at any rate it would be well that the matter should be made clear when we go into committee. If it is desirable that the Government should be restrained from building a line 25 miles long without consulting Parliament, and without getting the money from Parliament, then surely it is still more desirable that it should not be allowed to purchase an existing railway

199 miles long without getting money. There is much more risk of some sort of improvident dealing in the case of the purchase.

The motion was agreed to and the Bill was read the second time.

Hon. Mr. LOUGHEED—Do my hon. friends wish the Bill to be referred to a committee of the whole?

Hon. Mr. BOSTOCK—I think it would be better.

Hon. Mr. LOUGHEED—Is there any objection to going into committee now?

Hon. Mr. POWER—Wait until Saturday.

Hon. Mr. LOUGHEED—There is a more representative House to-day than there will be on Saturday. I move that the House go into committee now. I quite appreciate that I cannot ask the House to go into committee now without the leave of the House, and if the House do not wish to go into committee now, I will say Saturday.

The SPEAKER—There is no use in the House going into committee to-day. This is a money Bill and cannot be amended.

Hon. Mr. LOUGHEED—The idea is to discuss it. You might as well have the third reading on Saturday and discuss it then.

Hon. Mr. DANDURAND—I do not agree with the Speaker that this Bill could not be amended. It comprises two very distinct features. There is a general enactment to go on the statute book, and there is that part of the Bill which ratifies the contract which undoubtedly gives to that part of it the features of a money Bill. I hold strongly to the view that the first part can surely be amended by this Chamber.

The SPEAKER—I have already given a decision on a similar Bill and I cannot change my decision.

Hon. Mr. DANDURAND—Yes, the hon. gentleman must change it, because it was reversed by this Chamber.

The SPEAKER—I have an honest conviction, and a majority will not change my position. The House can reverse my decision a second time. When I am convinced of a thing I am convinced.

The motion was agreed to.

CONTINGENT ACCOUNTS OF THE SENATE.

CONSIDERATION OF REPORT POSTPONED.

Hon. Mr. POWER moved the adoption of the Sixth Report of the Committee on Internal Economy and Contingent Accounts.

The SPEAKER—There is another report that was presented this morning on a somewhat similar subject, regarding the charwomen, etc. I would suggest a postponement of the consideration of this report until the next sitting.

Hon. Mr. POWER—I am very sorry, but I do not find myself in a position to accede to the request of His Honour the Speaker. This matter has been before the House in one way or another for some considerable time, the report has appeared on the Minutes and every hon. gentleman has had a chance to read it. I may venture, at the risk of being rebuked, to say that on the whole there was almost complete unanimity in the committee which made the report.

Hon. Mr. DANIEL having been called to the Chair,

Hon. Mr. LANDRY (Speaker)—We are asked to adopt the Sixth Report of the Committee on Internal Economy. The first paragraph of the report reads as follows:

> Your committee have inquired into the composition and duties of the staff of the Senate and its efficiency. This inquiry was due to the fact that while the number of members of the House has been very slightly increased during the past twenty years and while the efficiency of the staff has not been improved, the expenditure for contingencies and that for the payment of the staff have increased very materially.

Without going further into the truth of the allegation, I suppose we must accept it as an evangelical truth. It is the Chairman of the Committee who declares that for twenty years the staff has not been improved, but that the expenses have been increased to a considerable amount. We see no proof of that. But the statement is there. The Chairman of the Committee has pronounced that that is the case.

Hon. Mr. POWER—Excuse me; the Chairman does not pronounce, the committee pronounces.

Hon. Mr. LANDRY—But there is only one Kaiser in the world. The Report proceeds:

The committee have devoted not a little time and thought to the matters herein referred to and they agree upon the following recommendations.

Before we discuss those recommendations, may I be allowed to state what is the jurisdiction of that Committee.

The jurisdiction of that committee springs from a resolution which was passed by this House on the 3rd March, 1915. The entry in the minutes is as follows:

The Honourable Mr. Power moved, seconded by the Honourable Mr. Taylor,

That the Committee on Internal Economy and Contingent Accounts have power, without special reference from the House, to consider any matter affecting the Internal Economy of the Senate, as to which His Honour the Speaker is not called upon to act by the Civil Service Amendment Act, 1908, and such committees shall report the result of such consideration to the House for action.

The question of concurrence being put thereon, the same was resolved in the affirmative, and

Ordered accordingly.

So you may see by this mandate given to the commitee that the committee has no right to consider any matter affecting the internal economy on which His Honour the Speaker is called upon to act by the Civil Service Amendment, Act, 1908. This committee comes with a report consisting of 17 or 18 articles, and the first four or five are to change the personnel of the Senate staff, to superannuate Mr. Soutter, and to name somebody to represent him; to superannuate Mr. Ralph, and to name somebody else to represent him; to remove and superannuate Mr. Larose, and to name somebody to replace him; to dismiss Mr. Caron, and to place Mr. Byron Nicholson as curator of the reading room, and so on. Has the Speaker of the Senate anything to do with these changes? I think the Speaker of the Senate has something to do with them, and that this committee had no right to interfere and had no right to make any recommendation to this House. That power was specially reserved to the Speaker by the resolution of the 3rd of March. The Committee were to consider any matter affecting the internal economy of the Senate as to which His Honour the Speaker has not been called upon to act by the Civil Service Amendment Act of 1908. I will prove that the powers of the Speaker are trampled upon by this report of the committee. If we look at section 8 of the Act we find:

As soon as practicable after the coming into force of this Act the head of each department shall cause the organization of the department to be determined and defined by Order in Council, due regard being had to the status of each officer or clerk as the case may be.

That means that the classification and organization of the Department must be done by the head of the department, subject to an Order in Council.

Hon. Mr. POWER—That is the Senate.

Hon. Mr. LANDRY—If we look at clause 5 of the Act we find that whenever, under sections 5, 8 and 10, any action is authorized or directed to be taken by the Governor in Council, or by an Order in Council, such action with respect to officers, clerks and employees of the House of Commons or of the Senate should be taken by the House of Commons or the Senate, as the case may be, by resolution. If we go back to clause 2 of the Act, the interpretation clause, we find:

The deputy head, in addition to the officers mentioned in section 2 of the Civil Service Act, includes the clerks of both Houses and the librarians of Parliament in addition to the minister mentioned in paragraph 2 of section 2 and includes the Speakers of both Houses.

Clause 8 the Civil Service Act says that as soon as practicable after the coming into force of that act the head of each department, and here the head of the department means the Speaker of the Senate, should cause the organization of his department to be determined. Therefore, it is a proposition made by the Speaker of the House to the House which puts the whole thing in movement and the House approves or refuses to approve of the action of the Speaker. The law adds: "The Order in Council should give the names of the several branches of the departments with the number and character of the officers and the duties and salaries pertaining thereto." Every time anything has been done in the Senate pertaining to changes in the personnel of the staff, it has been done by the Speaker on a motion or proposition made by him and approved by the House. My hon. friend from Fredericton will remember we settled our difficulties before by compromise. The classification which was read this morning was sanctioned and accepted by my hon. friend in my own office in the presence of the hon. Mr. Dandurand. I came here and made the recommendations and they were accepted by the House and the classifications were made in the proper way by this House. The law says once that is done the organization of the department should not be changed except by Order in Council. Once it has been defined by this House it cannot be

changed by a report of the Committee but must be changed by an Order in Council.

Hon. Mr. POWER—If the House chooses to make an order to-day it can do so.

Hon. Mr. LANDRY—It cannot make an order to-day unless I recommend it. I can show you the opinion of the Minister of Justice and I can show you the opinion of the Auditor General. The Speaker is the head of the department. The department was created by the law of the country, and the law of the country must be stronger than a resolution of the Committee. By the law of the country we have created the personnel of the House. It was made by the suggestion of the Clerk of the House to the Speaker, and by the Speaker to the House, and was accepted by the House, and nobody can change it except by another Order in Council, and that Order in Council must be made in the same way. I have no objection to accept their report if the public interests demand it, but I tell you that if you flaunt the report of the Committee in my face, as it has been done to-day, as a matter of defiance against the power given to me by this House and by that special resolution passed by the House on the 3rd of March which says that all that pertains to the Speaker should not be treated by the Committee—if you flaunt this in my face in defiance of the law, how can you expect that I will not resent it?

When in that proposition you take all the power the law gives me out of my hands and put it in the hands of the Clerk, how can I not resent what has been done, and how can you expect that in the face of that I should fall on my knees before the Hon. Mr. Power?

Hon. Mr. CLORAN—I have had to do that.

Hon. Mr. LANDRY—The committee has been led into an error. To go so far away from the powers specially bestowed upon them by this House is quite illegal. One of those first propositions is that Mr. Soutter should be superannuated. I will not discuss any of those propositions. It may be in the public interest that Mr. Soutter should be superannuated. I do not deny that. If it is in the public interest, why did not the chairman of that committee, or the one who is trying to get Mr. Soutter away in order to place another in his position, come and tell me, "Well we will try and agree; we have no right to trample on your privileges, let us come to an understanding." Would I have refused if I felt that it was in the public interest? I do not see that I would have any reason to do so. Perhaps it would have been very easy to impress me that it was in the public interest. What objection could I have that Mr. Jones should succeed Mr. Soutter as the clerk of Minutes? I have no objection to Mr. Jones or any other man replacing Mr. Soutter, but I claim it is not the right way to remove the obstacles which are now in the way. Then Mr. Arthur Ralph, Curator of the reading room, is asked to be superannuated. He is declared by this report to be incapacitated for work for some time. The public interest may demand that he be replaced. I do not object to that, but I say you are not the party to do that; I am the party. The only power I am given by this report is stated in the following paragraph:

> That His Honour the Speaker be requested to nominate Mr. Chas. H. Larose to the position of doorkeeper of the Senate at a salary of $1,000 a year.

I thank the chairman who found that solution to that great problem. He found among all the nominations he was making that there was one I could make with his permission, and that is, of the doorkeeper. The report says His Honour the Speaker of the Senate is entitled to nominate a doorkeeper. No, it does not go so far as that. I have not the choice of the candidate: I am entitled to name So and So as doorkeeper. That is all my power and hon. gentlemen think that this is the way His Honour the Speaker of this body should be treated.

Hon. Mr. CLORAN—I do not think it.

Hon. Mr. LANDRY—Do hon. gentlemen think that is the way the Speaker of the House of Commons or the House of Lords in England are treated? What have I done to merit such an attention from my hon. friend? He had better let me remain in entire oblivion, or completely surrounded and hidden by all those charwomen that he is bringing now as a bodyguard for me, because we find in this report, as well as in another report to be taken into consideration on Saturday, that the Chairman seems to take his inspirations from a lot of charwomen, but let me say those kind of attacks upon me are not those of a courageous man. Read the report and you will see between the lines what it means. And after all what has the hon. gentleman, after doing that kind of business for four years—because he has passed his time during the

four years doing that kind of work—what has he to reproach me with? Have I been a partisan here?

Hon. Mr. CLORAN—No.

Hon. Mr. LANDRY—Never. I have done my duty. The hon. gentleman may laugh.

Hon. Mr. POWER—One can hardly help laughing.

Hon. Mr. CLORAN—The hon. gentleman is laughing at something solemn.

Hon. Mr. LANDRY—I ask the hon. gentleman to formulate his charges against me if he has any to make. The first time I heard an accusation was when the hon. gentleman said that I had engaged an additional messenger in my room. I had two there, the two that my hon. friend had when he was Speaker, and I have taken an additional man, Mr. Roy, and that accusation fell at once from the lips of my hon. friend. I was so surprised—

Hon. Mr. POWER—Not in this House.

Hon. Mr. LANDRY—Does the hon. gentleman say not in this Chamber?

Hon. Mr. POWER—I said something like it.

Hon. Mr. LANDRY—The hon. gentleman said in this House that I had taken an additional messenger, Mr. Roy.

Hon. Mr. POWER—I do not remember anything like that.

Hon. Mr. LANDRY—I thought I was really at fault; he said it with such assurance that I thought I was the guilty party. When I went to my room, the first persons I saw were my messengers. They said "We were all here at the time of Hon. Mr. Power and we are engaged here now." There was no change at all. The following day, alluding to what the hon. gentleman had said, I put the facts before this House that I had not increased the number. The hon. gentleman did not say a word. He had not the manliness to acknowledge that he had made a mistake, he had not the manliness to put the facts as they were before this House. The hon. gentleman may have all the power he wants. He may claim his vast experience, though very few more than he expose themselves to be called to order on account of frequent violations of the rules. He may call upon his experience. He may say that this House is going to ruin. Is it because he is the oldest senator in this Chamber that he has any warrant to trample on our rights?

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. LANDRY—Is it because he has the experience of the thing that he is conducting day and night, that war against me? I want him, if he has something to say to me, to come out and accuse me. I want him to fight in daylight.

Hon. Mr. CLORAN—The hon. gentleman is right there.

Hon. Mr. LANDRY—The day that this Parliament will be dissolved will be the happiest day for me. What pleasure have I had since I occupied these rooms? I had the pleasure on a few occasions to see hon. gentlemen around my table; that was the greatest pleasure I had. But apart from that, in our relations as senators what pleasure have I had? Each time I gave a decision it has been reversed, and I am told to-day, and was told some time ago, that I must give a decision conflicting with one I had given before, because that one had been reversed. Well they will have to try it on another person than me.

If they want to reverse the decision I have given, the first thing to do is to prove my decision was wrong, and if it was a wrong decision I have manliness and courage enough to take my medicine and render another decision.

Hon. Mr. CLORAN—Hear, hear. I have been waiting for this for a long time, and it has come now.

Hon. Mr. LANDRY—There is an item in Report No. 5 that the services of Mr. Caron be dispensed with. He has sent in his resignation. I hope that that part of the resolution will be changed.

Hon. Mr. POWER—Certainly.

Hon. Mr. LANDRY—But the thing that a gentleman would have done before to-day would be to have placed Mr. Caron in a position to tender his resignation before making this recommendation. I say any gentleman would have done that. He would have seen Mr. Caron and said to him: "My dear Caron, send me your resignation and nothing will be said about you." And it is in face of that declaration of the committee that Caron was forced to give his resignation. I repeat it, a gentleman would have done otherwise.

Hon. Mr. CLORAN—A son of one of the statesmen of this Empire.

Hon. Mr. LANDRY—The hon. member from Halifax has been Speaker. He has applied the rules of the House.

Hon. Mr. CLORAN—And brought in the police, too.

Hon. Mr. LANDRY—I remember more than once that he claimed, and he was right to do so, that irony should never creep into a question. I would ask if it was dignified for the Chairman of the Committee to have written the following paragraph:

6. That Mr. Byron Nicholson discharge the duties of curator of the reading room in addition to those of his present office, clerk of English Journals. Mr. Nicholson is a gentleman of considerable literary skill and experience and his appointment will supply a want in the management of the reading room.

Is that irony or is it seriousness? And what will we think of the present assistant curator, that painstaking man who has been 25 or 30 years in the service? It is declared that he has not the high attainments of Mr. Nicholson to occupy that exalted position of curator of the reading room. Then we have the charwoman coming in. The clause reads as follows:

10. That no further appointments of charwomen be made until the number of those known as permanent has been reduced to seven, and that the number of such permanent employees shall not thereafter exceed eight.

I never cared about charwomen. I never meddled with them. It is the housekeeper, Mr. Carlton, that settles all those questions. I never engage or dismiss a charwoman, and never meddle in that kind of business, but I never thought the committee would tell me as a direction that no further appointments be made until the number of those known as the permanent staff has been reduced to seven. That is a Biblical number.

Hon. Mr. CLORAN—Seven lean cattle and seven fat cattle.

Hon. Mr. LANDRY—Seven chandeliers. We are going to have another report which will be a little more personal. This report is merely a ballon d'essai. You are going to have something more personal that the Speaker of the House—I beg pardon, Mr. Speaker, if I anticipate your future title, but it is asked that the next Speaker of the House should not have the right to have more than so many charwomen. In the minds of hon. gentlemen that certainly will be a new departure, because if this is not a new departure why should he bring in that report? If things are going quietly, normally and smoothly, why should we have this report? Well, the future speaker will be guided by the dictums of this chairman and this committee. He should not have more than two charwomen. The interest the chairman of this committee gives to the charwomen of this House extends also to the employees generally, and it is decreed that a register of the attendance of the employees of the Senate, similar to those kept in the various departments, be instituted and maintained. That is not too bad for a person who is aiming at economy. A new position will be created and a new person will be appointed to fill that position.

Hon. Mr. POWER—That is not a new position.

Hon. Mr. LANDRY—It will be against the law at all events. If we consult the Civil Service Act we find clause 46 which reads as follows:

Nothing in this Act or the Civil Service Act shall be held to curtail the privileges now enjoyed by the officers, clerks and employees of the House of Commons or of the Senate or the Library with respect to rank, precedence, attendance, office hours, leave of absence, or with respect to engaging in such employment during parliamentary recess as may entitle them to receive extra salary from Parliament.

The hon. gentleman will readily admit that it is a system which will be unworkable. How would he work that? When the House sits until midnight how will it work out? All the employees are kept here and will leave about 2 o'clock in the morning. The minutes of proceedings must be made up during the night time so as to be ready for the morning. How will that work out with the hours of attendance? How will it work out with the pages who are here while we are sitting? How will it work with all the employees of the Senate, clerks and messengers? If you want to send a messenger out at night, you send him away; how will it work out at that time?

Now it is declared that between sessions the Speaker's steward and the keeper of the wardrobe may be called upon to do duty as Senate messengers during the recess? The keeper of the wardrobe is the only one not employed as a Senate messenger during recess. The Speaker's steward is employed as a messenger during recess. "That the number of pages hereafter shall not exceed four." That might be correct; I do not dispute

that. The pages and messengers were left in the hands of the Clerk to arrange about. If the Clerk wants an additional page, he asks me to name one, but I have never asked him to create a position. The number of people that were employed here when I came in has remained the same. I have not added to them by one single unit.

Hon. Mr. POWER—The report does not say that you increased them.

Hon. Mr. LANDRY—No. The report reflects the spirit of the chairman, but it has not the manliness to say so, but everybody believes that is it. Suppose for one minute that the hon. gentlemen were in my place, and that he had a report of this kind against him, what cries would we not hear. I have no objection to the recommendation that supplies and stationery shall be vouched for. Finally it states that the Clerk of Senate shall be the chief executive officier of the Senate.

Hon. Mr. CLORAN—What is the matter with the Speaker?

Hon. Mr. LANDRY—I think I ought to have something to say, but now I shall be obliged every time I come to Ottawa to ask the clerk if he will allow me to come to my apartment, because he is the chief executive of the House. I might have to ask him if he would allow me to go home when the House adjourned. What shall I not have to ask him? This single clause shows the nature of the report that was made by the chairman of the committee, and should it not be taken by me as one of the greatest insults that a man could receive from a public body?

Hon. Mr. CLORAN—You are right. That is what it means.

Hon. Mr. LANDRY—I want to know, before this report is adopted, what you have against me. I want to know what the charges are so that I can defend myself. I ask you you to treat me as you would like to be treated yourselves if you were in my position.

Hon. Mr. POWER—Would the hon. gentleman kindly address the House and not me ?

Hon. Mr. LANDRY—I am not addressing myself to the hon. gentleman, I am addressing the House. When I am addressing the whole House the hon. gentleman thinks I am addressing myself to him, the Kaiser. I think it is my duty to point out the legal position in which we stand and the legal position in which that committee stands, because that committee reports on subjects which the committee has no right to report upon, and if the committee wants some of these suggestions to be carried out there is only one way to do it. I shall not put obstructions in their path, but it must be done in a way that will be honourable to the Senate, and to the man who presides in this House. I do not say I preside in a dignified way, but I do it the best I can according to the dictates of my conscience, and to the best of my ability. I know that there is a House here to censure me if I do what is wrong, and it has very often done so.

Hon. Mr. CLORAN—He is all right.

Hon. Mr. POWER—I do not know that I am strictly in order, but I suppose that after the remarks made by His Honour I might be expected to say something.

Hon. Mr. LANDRY—I hope so.

Hon. Mr. POWER—I am not going to enter into the personal question. I do not think that this House is very much interested in the Hon. Speaker's opinion of me, or in my opinion of him.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—Our personalities do not count for anything. We are supposed to be a body of business men doing business in a sensible, reasonable way; and what fancies may have entered into the head of one hon. gentleman or another do not count; we look at the facts. Taking up some objections raised against this report—taking the last one—the recommending that the Clerk of the House be the chief executive officer —the hon. gentleman apparently thinks that he himself ought to be the chief executive officer. What is an executive officer? A man who carries out instructions, and directions, and regulations made by people above him. The Speaker does not seem to recognize that there is any one or any authority above him; but the Clerk is naturally our chief officer, and he is a gentleman who is supposed, and has always been supposed, to be chief executive officer of this House. There is one matter as to which I feel a good deal of regret; I exceedingly regret that Mr. Caron was not communicated with before the report was presented.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—I am very sorry indeed for that, and if it had not been that we were under the impression that Parlia-

ment was about being prorogued almost at once, we should have taken a different course; but under that impression that Parliament would be prorogued to-day there was not time to do things that way.

Hon. Mr. THOMPSON—He sent in his resignation.

Hon. Mr. POWER—I know that Mr. Caron sent in his resignation before this report was taken into consideration, and he is not being dismissed, but I think it only fair to say that I regret that this paragraph was inserted in the report, and I suppose that other members of the committee also regret it. And that just reminds me that His Honour the Speaker has dealt with this question as though it were a matter between himself and myself. Now, that is not the case at all; it is a matter between the Committee on Internal Economy and Contingent Accounts, selected by the Senate, acting for the Senate and the Speaker; that is what the real issue is. The hon. gentleman wanted to know what pleasure he had had during his term of office as Speaker. Well, I do not know, and I do not think the House is very much concerned in that; but, speaking as a public man, I know that the attitude taken by His Honour the Speaker in a good many cases has helped to lessen the pleasure the members have had in being present at the meetings of the House. The Speaker reminds me very much of the twelfth juror who stood alone against eleven, and then remarked that he had never seen eleven such obstinate men. That is about the attitude of His Honour the Speaker in connection with the members of this House. There is one point which I propose to discuss. The committee, arrived at a very harmonious conclusion, and I do not think it is necessary to discuss these questions which the Speaker raised much further; but I wish to call attention to the fact that when talking of appointments we did not lay sufficient stress on the fact that the Governor in Council controlled these appointments; that if an appointment is recommended by a deputy minister and that recommendation is concurred in by the minister, then the Governor in Council—that is the Senate, which represents the Governor in Council—no matter what the action of the Speaker or Clerk may be, this House has a right, in the last resort, to decide what shall be done.

Some Hon. GENTLEMEN: Hear, hear.

Hon. Mr. POWER: It is with the view of giving the House a chance to settle certain things in what we think the business-like and right way that this report has been made. As to the criticism His Honour has made questioning the authority of the committee to do that, these matters with which we deal are almost without exception matters affecting the Internal Economy of the Senate, the way in which our business is to be transacted as a Senate. There are one or two cases where that is not so, but where the authority of His Honour the Speaker comes in. If we choose to take Mr. C. H. Jones, and put him in as Clerk of Minutes instead of somebody else, that is, prescribe a slight change of duties, that does not come under the authority of the Speaker. But it happens that we ask His Honour the Speaker to be good enough to nominate a certain gentleman as doorkeeper of the Senate. We ask him to do that, because it is his privilege, I think, to make the recommendation. But when we talk about the propriety of superannuating an officer who has been absent from work for two years, owing to serious illness, surely it does not rest with the Speaker to authorize us to make that recommendation. These recommendations have all come to the Senate; the committee does not do anything, and the Senate has the right to deal as it pleases with the recommendation of the committee. The Speaker referred to something that I had once suggested in the House about a lad who had been employed by the Speaker, Mr. Roy. Honestly, I do not remember anything about that; I do not undertake to contradict His Honour the Speaker, but I do not recall it. I think it is for the House to judge the doings of the committee as best they can and try and improve the method of carrying on our business. We have made the report, every hon. gentleman has had the opportunity of reading it, and I do not think there is any object in my saying anything more about it.

Hon. Sir MACKENZIE BOWELL—This question of the authority and power of the Speaker under the Civil Service Act has been discussed a good many times in this House. Most of those who have any recollection of what has taken place know the position that I have always assumed upon this question. It has always been my opinion—and this is but another verification of it—that the Committee on Internal Economy have arrogated to themselves a power that

is vested in the Speaker and the Clerk of the House. I have not the slightest doubt that if these representations had been made in a consultation with the Speaker, an amicable arrangement might have been made to carry out the suggestions contained in the reports.

An Hon. GENTLEMAN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I do not know what took place between the Chairman and members of the committee and the Speaker, but I draw the inference I have mentioned from remarks made by the Speaker, in which I must confess he has displayed a good deal of temper, and perhaps justifiably so, believing as he does that his power and authority have been negatived in almost every case. But to my mind the Civil Service Act lays down the power and authority by which all these recommendations and appointments should be made.

An hon. GENTLEMAN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—If the Speaker had been consulted and his opinion had been asked as to the changes which are suggested in this report, I have confidence enough in the Speaker to believe that he is not so arbitrary in his character as to have rejected them.

Hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—It is quite evident, however, from his remarks to-day, that he has come to the conclusion that the power and authority vested in him by Parliament, as Speaker of the House, which we ourselves discussed in adopting the Civil Service Act, have been disregarded and that he himself has been treated with contempt. I do not say that the committee intended a thing of that kind, but that is evidently the opinion that he has formed from the action of the committee in making recommendations to the Senate which he thinks, and which after reading the clauses I think, they had no right to do except through the Clerk and the Speaker. There is really where all the difficulty has arisen in the past, as well as in the present case. There are many suggestions in this report which meet my approval, as a member of the Senate. There are some things in it that, to my mind, are ridiculous—perhaps that is some too strong a word.

Some Hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—Why does the keeper of the reading room require the qualifications possessed by Mr. Nicholson, as pointed out here, to enable him to take the newspapers from the post office, put them on files in the reading room to protect them from being stolen or taken away, and then afterwards to file them away? Yet we are told in this report that—

> Mr. Byron Nicholson is to discharge the duties of curator of the reading room in addition to those of his present office as Clerk of English Journals.

If the report stopped there perhaps nobody would object to it, and I do not say that I object to it either, because he may have all the qualifications mentioned here.

Hon. Mr. DAVIS—We are giving him work to do, so that he will be doing double duty.

Hon. Sir MACKENZIE BOWELL—I understand that, and so does my hon. friend.

Hon. Mr. DERBYSHIRE—And not increasing the salary.

Hon. Sir MACKENZIE BOWELL—I want to ask my hon. friend very frankly, if the appointment of a gentleman of considerable literary skill and experience will supply a want in the management of the reading room? Does he require a man of literary skill and ability to take newspapers from the post office and put them on file? That can only be given as a reason for making a change, or for another reason.

My impression is that if the committee had expressed its opinion clearly and distinctly, they would have said this officer is of no use whatever, and, instead of apparently giving him more work to do, they are giving him the work of a messenger and stating that the position requires a man of literary ability. I have long held that the duty which pertains to the office of Speaker, it matters not who occupies the Chair, should not be taken from him and arrogated by the committee without authority. The Senate may take certain action on the recommendation of the Speaker, and the Senate has power and authority to reject it if they so desire. The Speaker and the Clerk are in the same position as the head of the department and his deputy: the Speaker represents the minister of a department and the Clerk a deputy. The deputy may make a recommendation to the minister, and the minister may reject it, or he may send it to the Treasury Board, and that board may approve or disapprove. If the Treasury

Board approves of the recommendation, it goes to the Council. I regret exceedingly that the Civil Service Act has not worked as I anticipated it would. Apart from that, our action should be in accordance with the provisions of the Act. The Speaker looked on the action of the committee as taking from him a power that he has. He deeply resents that, and I regret that he has felt it so keenly.

Hon. Mr. BELCOURT—I had not intended to take part in this debate, because if there is one subject more than another that I dislike it is appointments to office. My experience in representing this city for 12 years disgusted me for the rest of my days in matters of that sort. I rise now in the hope that we will settle this matter once for all, and that in the future we shall avoid unseemly discussions to which the whole of this day has been practically devoted. I thoroughly agree with my hon. and venerable friend from Hastings that the law is that the Speaker is the head of this department—I am speaking, not of the House, but of the administration outside of the House—and the Clerk is the deputy head. The law says distinctly that appointments to office are to be made by the head, on the recommendation of the deputy head. He alone, as the head of any department, has the right to make recommendations. This House may ignore these recommendations if it choose, but the Committee on Internal Economy, no more than any other committee of the House, has the right to inquire into any question not specially referred to it. I think that is at the bottom of this whole question. Have these matters been referred to the Committee on Internal Economy?

Hon. Mr. CLORAN—No.

Hon. Mr. WATSON—Yes. The Speaker submitted reports to this House, and they were referred to the committee.

Hon. Mr. BELCOURT—On what subject?

The SPEAKER—When did the Speaker of the House refer anything to the committee?

Hon. Mr. WATSON—The Speaker made a report to the Senate on the acceptance of Mr. Trudel's resignation.

The SPEAKER—That report was acted on this morning.

Hon. Mr. BELCOURT—Has the House referred to the Committee on Internal Economy any of the matters dealt with in this sixth report?

Hon. Mr. POWER—Yes.

Hon. Mr. BELCOURT—When?

Hon. Mr. WATSON—There is a motion on page 62 of the Minutes of Proceedings.

Hon. Mr. BELCOURT—I take the ground that the committee has acted wrongly. If we are to be bound by what the committee does, whether right or wrong, that is the end of the whole discussion. I take the ground that the committee has attempted to deal with subjects which were not referred to it. If that is clear there is no question that we must apply the rules that no committee can deal with any matter that is not referred to it. These questions have not been referred to that committee. If we do not follow the rules of the House we will go astray. It is clear to me that the committee, in dealing with matters not specifically referred to them, have acted without authority. I do not care tuppence about the matters referred to in this report, but I do care something about the proper conduct of this House and I am going to try and help to see that the business of this House is properly conducted. I do not care who may be in the Chair, or whether he is a friend of mine or not, I am going to see that the Speaker of this House receives the respect to which he is entitled. In this instance there is considerable evidence of feeling between some member of this committee and the Speaker, and to be charitable the report cannot otherwise be interpreted than as an attempt to give a slap to the Speaker of this House. What interest has he in doing that? Why should we do something that is insulting to the Speaker? The Speaker is the representative of the House and I have never seen any deliberative body that would allow its presiding officer to be insulted without some member of the House rising to protest against it. Why should we try to detract from the dignity or destroy the authority of the officer who presides over this House? I am going to vote against the report, not because I do not think the recommendations are proper, but because it is an assumption of authority by a committee of this House to deal with something that they had no business to deal with. If we adopt that report and sanction the principle that a committee can deal with subjects not referred to it, we will be establishing a very dangerous principle.

Hon. Mr. TAYLOR—As a member of the Committee on Internal Economy I would like to say that several matters were

brought before the committee. It was thought that the staff of the Senate required reorganization. We considered that some of the members of the staff were not earning their salaries.

Hon. Mr. BELCOURT—Why was not the Speaker asked to look into these things?

Hon. Mr. TAYLOR—We thought the best way to deal with the subject was to refer these matters to a sub-committee. That sub-committee was composed of five of the oldest and most efficient senators of the House. They brought in a report and the committee received that report and adopted it.

Hon. Mr. BELCOURT—Was the Speaker consulted?

Hon. Mr. TAYLOR—I understood from a personal friend of the Speaker that His Hon. the Speaker was consulted and was satisfied.

Hon. Mr. CLORAN—Who was the personal friend of the Speaker?

Hon. Mr. TAYLOR—I understand Senator Bolduc.

The SPEAKER—That was when Senator Bolduc was in the hospital.

Hon. Mr. TAYLOR—I am giving the facts as I understand them. That was the impression of the majority of the committee. We understood that the Speaker was satisfied and the committee approved of the sub-committee's report as it is now before the House.

Hon. Mr. THOMPSON—I consider the views entertained by the hon. senator from Ottawa and the views entertained by the hon. senator from Hastings are absolutely erroneous. There is not a single section or paragraph in the Civil Service Act that gives the Speaker of the Senate the powers which they claim. I go further than that and I say that we have not been living up to the provisions of the Civil Service Act, and have driven a coach and four through it. That Act requires that all appointments in the Civil Service should be made by the Commission, but not in one instance has this Senate conformed with the Act in that respect. I want the Speaker to understand that, so far as any personal feeling is concerned, there has not been a particle of it and I have no disposition to do anything that would cause him personal feeling in respect to the matter. I was only acting as a member, the committee believing that the Senate was not a department, but that this Senate was a branch of Parliament.

On the passing of the Act, calling the Speaker the head of the department was a nominal proposition; it was suggested as a means by which these matters should be brought to our attention. Where any recommendation of any character reached the Senate through the deputy or through the Speaker of the Senate, this House has full contral to deal with it, as they think best. To hold the contrary is perfect nonsense, according to my way of thinking. Respecting the reclassification which took place two years ago, the Civil Service Act says: "That being determined and defined, the organization of a department shall not be changed except by Order in Council." Where is the Order in Council? The proposition that was brought to us at the close of 1913 was never ordered by the Governor in Council. I am not finding fault with that, because I moved it. It was brought by the Speaker here, but it did not conform to the provisions of the Act. Before a classification can be determined under this Act, the Governor in Council must order it; then the Speaker, as head of a department ,and the deputy can make a recommendation to the Governor in Council and have it changed, but that was not done. While I moved that in committee, I want to say frankly that I did not understand that the classification carried an increase of $500 or $600 to the salaries of the individuals named in that classification. It came the last day before the Senate adjourned. We met in the Speaker's room and talked it over with the Speaker, and perhaps I was somewhat obtuse and did not quite appreciate what was done in that respect. I did not notice that A-1 and A-2 had been changed. I saw the salary of Mr. Trudel was $2,400, and I did not take it that by that recommendation we were adding $600 to his salary.

The SPEAKER—That was printed in there.

Hon. Mr. THOMPSON—Yes, but I did not read it in that light, or I should not have felt that we could do that and conform to the Civil Service Act. I want to say having devoted some little attention to the provision of the Act, that the intention of the Act never was that this Senate should be humiliated by taking these matters away from it. From the inception of the Internal Economy Committee, appointed by the

Senate to deal with these matters of domestic interest, it was never the intention of the Act that they should pass out of the hands of the Governor in Council, which in our case is the Senate. There is only one section in this Act which provides that the Speaker shall be called upon to make the nomination. That is section 22, and that refers to the appointments of positions of messenger, sorter, porter and packer, and such other positions of the lower grades as are determined by the Governor in Council —that is the Senate—may be made by the Governor in Council upon the recommendation of the head of the department made upon a report in writing of a deputy head. That is section 22. Section 21 reads:

If the deputy head reports that the knowledge and ability requisite for the position are wholly or in part professional, technical or otherwise peculiar, the Governor in Council, upon the recommendation of the head of the department based on the report in writing of the deputy head, may appoint a person to the position without competitive examination and without reference to the age limit, provided the said person obtains from the commission a certificate, to be given with or without examination, as is determined by the regulations of the commission, that he possesses the requisite knowledge and ability, and is duly qualified as to health, character and habits.

Section 22 applies to messengers, porter, sorter and packer, and to such other positions in the lower grades as are determined by the Governor in Council, may be made by the Governor in Council upon the recommendation of the head of the department based on the report in writing of the deputy head, and accompanied by a certificate of qualification from the commission, to be given with or without examination, as is determined by the regulations of the commission, that the person applying for the appointment possesses the requisite knowledge and ability and is duly qualified as to age, health, character and habits .

By section 22 it is left to the clerk and the Speaker of this House to call attention to the fact that there is a position to be filled which requires professional, technical or other peculiar qualifications. Having called attention to the fact that a position of that kind is vacant, the Act says, "The Governor in Council may appoint a person." It is left to the Governor in Council to make such nomination, and having made such nomination to have it confirmed. The matter we have dealt with is one of which the Speaker could not have personal knowledge. Surely the time has not come when the members of this Senate in Committee, who have knowledge of the duties to be discharged by members of the staff, who know exactly what has to be done by these officials, have no power to act in the matter. The Speaker is not on our committee, and has nothing to do with the work performed by them. The committee has to do with the work of the Senate. The Speaker could not advise the committee in respect of matters regarding the duties of the staff.

Hon. Mr. BELCOURT—Why not?

Hon. Mr. THOMPSON—He would not know about the work of the clerks as well as the committee.

Hon. Mr. BELCOURT—He would know better than I would.

Hon. Mr. THOMPSON—He could not know the work of these committees without being in touch with them. But neither the Speaker nor any member of this committee can understand exactly the nature of the duty of the officials excepting those engaged in the work themselves, and when I, as a member of that committee, and a member of the subcommittee, met with prominent members of the committee, and dealt with this question, it was foreign to me to think that we were treading on the corns of the Speaker. I have just as much regard for the Speaker as my hon. friend and I am willing to sustain the dignity of the Speaker of the Senate, but I am not willing that the Senate should humiliate itself for the purpose of giving way to the Speaker: In no sense have we interefered with his prerogative, and if I, as a member of that committee, felt that in this case I had done an injustice to the Speaker, no man in this House would more willingly acknowledge it. I am acting conscientiously, according to my idea as to what the provisions of the Act require, and as the recommendations made by that committee are for the best interests of this House, I really cannot think for a moment that this House will reject the report, which has in it matters that are so much required for the best interest and control of the staff of the Senate.

Hon. Sir MACKENZIE BOWELL—My hon. friend says the opinion expressed with regard to the Civil Service Act by the hon. gentleman from Ottawa and myself is erroneous.

Hon. Mr. THOMPSON—That is my judgment.

Hon. Sir MACKENZIE BOWELL—All I desire to say is that the hon. gentleman from Ottawa and myself are in very good company, because the Deputy Minister of

Justice has agreed with us and it is on record.

Hon. Mr. THOMPSON—No.

Hon. Sir MACKENZIE BOWELL—And also the Auditor General, who refused to pay certain accounts—

Hon. Mr. THOMPSON—The statements of the Deputy Minister of Justice and the Auditor General are on record. I can find them in the journals of this House, and their opinions will confirm the position taken by the committee.

Hon. Mr. LOUGHEED—Unfortunately every session we have this inflammatory discussion on the meaning of the Civil Service Act. It is about as plain as any theological dogma which may be submitted for interpretation, and I fancy so long as we are administering the affairs of the Senate under the Civil Service Act, we are likely to agree or disagree just to the same extent as we would in the discussion of any theological question. I should like very much if, at this stage, I could assist in pouring some oil on the troubled waters, which seem to agitate the Senate every session to such an extent that it disturbs our equanimity and destroys the rest which many hon gentlemen like to enjoy in this Chamber.

Hon. Mr. CLORAN—Especially in holy week.

Hon. Mr. LOUGHEED—It seems to me we are discussing a technical subject and in a sense for which there is really no satisfactory solution. Allow me, in the first place, to say that I am a member of the Internal Economy Committee. Heaven forbid, if this strife continues, that I should be a member of that committee at any future session. The members of that committee are called upon to discharge very unpleasant duties indeed. They have responsibilities which no hon. gentleman on the committee has sought, and those responsibilities have to be discharged by some one or other members of the Senate. Power was given this session to the Internal Economy Committee of an originating character. The committee was expected to make suggestions which would be in the interests of the administration of the public service of the Senate. They were in a position to do that to greater advantage than His Honour the Speaker, and furthermore, it would not have been entirely in harmony with the dignity of the Senate that he should have been called upon to make the suggestions which this committee from time to time has been called upon to offer. Now it did occur to that committee, in pursuance of the originating powers that were given us during the present session, that something should be done towards reorganizing the service of the Senate. With all due deference to the service of the Senate, I venture to say that we all thought it susceptible of improvement considering the large expenditure of public money we are making upon it. We found we had servants here, old officials, as you may choose to call them, drawing substantial salaries, but who, from circumstances and conditions beyond their control, were not giving the service that public necessity required. The Internal Economy Committee took upon itself to appoint a sub-committee to make investigation into those conditions and to report thereupon. That sub-committee discussed the entire subject with the Clerk of this House, who is familiar with all the conditions to which I have referred, and I believe there was no dissatisfaction expressed by the Clerk in the conclusions at which the committee arrived.

Hon. Mr. BELCOURT—Was the Speaker consulted about it at all?

Hon. Mr. LOUGHEED—I will come to that. The impression in the minds of the sub-committee was that the Speaker was familiar with what was being done, and I myself was fully persuaded that His Honour the Speaker had knowledge of all the recommendations which were to be made. Having arrived at a series of recommendations, we unfortunately have made perhaps a technical mistake, and yet it is not such an important matter as has been represented. After all, this sub-committee has simply recommended to this House that certain things should be done. I see no reason why the Senate should not in turn recommend to His Honour the Speaker, who may be charged with the originating power incident to certain things in this report, that he in turn should recommend to the Senate that this be done. This is simply a recommendation of the committee. The committee has not arrogated to itself the power of carrying out those recommendations.

Hon. Sir MACKENZIE BOWELL—They could not.

Hon. Mr. LOUGHEED—Then, if they could not, why can any exception

be taken to any committee in the interests of the Senate investigating and recommending to the Senate that something be done. Having recommended to the Senate that something be done, then it is time for it to go through the proper channels provided for so doing. I do not think the committee has in any way usurped the power of the Speaker in suggesting to the Senate what should be done along certain lines.

Hon. Mr. BELCOURT—What about the Civil Service Act?

Hon. Mr. LOUGHEED—We have not reached the operation of the Act yet. This committee has placed upon the table of the House simply a suggestive report directing the attention of the House to certain things and expressing its desire that that condition of things should be observed. I quite concur in the proposition that it might have been more desirable had that suggested Act gone to the Speaker, with a suggestion that he in turn should recommend to the House that these particular recommendations should be crystalized into practical shape. If I had thought that a technical distinction should be drawn, I as a member of the Internal Economy Committee would have at once said to that committee, "We had better wait upon His Honour and have him make the recommendation." But it is not too late. If the Civil Service Act is like the Ark of the Covenant, that he who places his hands upon it would be fatally stricken, let us stop at this particular moment of the report, and simply and suggestively wait upon His Honour the Speaker and ask that these recommendations be carried out. I, as a member of that committee, would be very glad if this report should be withheld until we can properly present it to His Honour, and ask him to carry out the recommendations which we have already made. I, for one, am very anxious, and always shall be to uphold the dignity, honour and rights of the Speaker and likewise of the Senate. I do not think—I say it with the utmost confidence—even though there may be a feeling of antagonism within certain groups, that there was a member of that committee who discussed this report, and who was in any way a party to the recommendations made, who had any desire whatever to usurp the power of the Speaker, or in any way to trench upon the dignity and privileges which attach to the office and with which we would like to surround His Honour at all times.

Hon. Mr. CLORAN—But as a matter of fact you did?

Hon. Mr. LOUGHEED—It is simply a question of difference of opinion. Why should this deliberative Chamber, a chamber before whom must come for revision all the legislation passed by the House of Commons—why should we sit down and quarrel amongst ourselves as to the technical distinctions to be drawn in the administration of the Civil Service Act?

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—I would therefore suggest that His Honour the Speaker accept the assurances that this committee have given him, that there was no intention to infringe on his dignity or usurp his rights, and that our only desire is that he should take this report as our recommendation, after careful investigation made by us in the interests of the Senate, and that he, in pursuance of the rights which attach to his office as Speaker, should recommend to the Senate that these recommendations be carried out.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—You must get down to something practicable after all the discussion. The only thing now before the House is the adoption of the report. If the report is adopted under the circumstances, it is a direct insult to the Speaker, as admitted by the leader of the Government and as suggested by the hon. senators from Hastings and Halifax; there is no question at all about that. If the hon. leader of the Government had wound up his remarks with a motion recommending the holding of this report until the Speaker had time to be consulted, then we would have been able to vote on something that would not reflect either on the committee or the Speaker.

Hon. Mr. LOUGHEED—I will make a proposal, if hon. gentlemen will be prepared to consider it. I move that inasmuch as a difference of opinion has arisen as to the procedure which should be adopted in the submission of this report, it be laid upon the table until Saturday, and that His Hon. the Speaker be requested to consider the desirability of making a recommendation in accordance therewith.

Hon. Mr. CLORAN—I second that motion.

The motion was agreed to.

FIRST, SECOND AND THIRD READINGS.

Bill (F-1) An Act for the relief of Cecil Howard Lambert.—Hon. Mr Taylor.

The Senate adjourned until Saturday, the 3rd instant, at 11 a.m.

THE SENATE.

Saturday, April 3, 1915.

The SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

DREDGING ON PACIFIC COAST.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Has the Government changed all the dredges and tug boats at the Pacific coast from coal burners to oil burners?
2. If so, what has been the cost of making the change?
3. What is the saving in the cost of the fuel?
4. What is the saving in the cost of operation?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. No, three tugs, four dredges and one rock-breaker are equipped with oil, while two tugs, two dredges and one rock-breaker are not equipped.
2. $34,244.
3. $35,000, approximately, per annum.
4. An additional saving which is very difficult to estimate.

Hon. Mr. BOSTOCK—The answer to the third question is " $35,000 approximately." Does that mean per annum?

Hon. Mr. LOUGHEED—My hon. friend has not included that in his inquiry. It says $35,000 approximately. That would more than cover the cost of making the changes.

ORIENTAL IMMIGRATION IN CANADA.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. How many Chinese immigrants arrived in Canada during the calendar years 1913 and 1914?
2. How many Japanese immigrants arrived in Canada during the calendar years 1913 and 1914?
3. How many Hindu immigrants arrived in Canada during the calendar years 1913 and 1914?
4. How many licenses were granted to Japanese fishermen during the years 1911, 1912, 1913, 1914?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. 6,298 Chinese immigrants arrived during 1913; in 1914, 1,600 arrived.
2. 886 Japanese immigrants arrived during 1913; in 1914, 681 arrived.
3. 88 Hindu immigrants arrived during 1913; in 1914, none.
4. Under the Fishery Regulations of British Columbia, only a British subject who is resident in the province, or a person who is a bona fide settler and has pre-empted or purchased land, or a Canadian Company or firm, or one which is licensed to do business in the province, is eligible for fishery licenses. Hence, no licenses have been granted in the years mentioned to others than above.

Hon. Mr. BOSTOCK—That is hardly an answer to the question. It does not say how many of those Japanese were British subjects. Does it mean that there were no Japanese at all?

Hon. Mr. LOUGHEED—My hon. friend will correct me if I am wrong when I venture the statement that the British Columbia Government may possibly regulate who should have the right to fish under the fisheries regulations for British Columbia. The person qualified is a British subject, who is resident in the province, or the person who is a bona fide settler and has pre-empted or purchased land, or a Canadian company or firm, or one which is likely to do business in the province, is eligible for fishery licenses; hence no licenses have been granted in the years mentioned to other than the above.

Hon. Mr. BOSTOCK—I never understood the province of British Columbia had anything to do with that subject.

Hon. Mr. LOUGHEED—I have no personal knowledge of the answer outside of the information which has been furnished me.

CRIMINAL CODE AMENDMENT BILL

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 74, An Act to amend the Criminal Code, as amended.

Hon. Mr. WATSON—I move that sections 5, 6, 7 and 8, which were stricken out in Committee of the Whole, do again form part of the Bill.

Hon. Mr. DAVIS—I was not in the House when these words were stricken out,

and I should like to know what we are voting on. Would the hon. gentleman give us his reasons for restoring them.

Hon. Mr. WATSON—My reasons for moving that they be restored is because I think it is good legislation. The Minister of Justice, in his explanations made in the House of Commons on the Bill, gives very satisfactory reasons. At the present time there is a great agitation going on by an organization known as the Social Reform Association throughout Canada. They have petitioned the minister to pass that legislation believing it to be in the interest of the work they have undertaken; that is, trying not only to reform, but to prevent girls from going into houses of prostitution, and I am inclined to think that we should not put anything in the way of those people, who certainly know more about the laws they require for the purpose of effectively doing their work, than we can possibly know in this Chamber. It would be a mistake on our part not to give the people engaged in this work the legislation asked for.

Hon. Mr. DAVIS—If my hon. friend is so anxious in regard to this question, and asked for legislation by which some action could be taken against the property owners who rent their houses for immoral purposes, I could quite understand it.

Hon. Mr. WATSON—The Criminal Code at the present time provides for that.

Hon. Mr. DAVIS—Does my hon. friend think we can make people good by Act of Parliament? The Criminal Code is top-heavy. A most respectable citizen could hardly walk up and down the street without some section being found in the Criminal Code under which he could be prosecuted. Every crank wants to amend the Criminal Code for the purpose of pleasing people of limited experience in such matters. Of late years we have had wild cat legislation submitted to us for insertion in the Criminal Code. It is a most ridiculous proposition. The law governing this thing has been in force many years, and I have never heard any protest against it except from people who are at the head of the organization of which the hon. gentleman has spoken. I know that they have been looking for legislation without knowing what the effects of it would be all over the country. I think the committee was very wise in striking those clauses out of the Bill.

Hon. Mr. CLORAN—If hon. gentlemen would just consider this calmly and quietly they would not change the legislation on the statute-books to-day. I understand the vast majority of the hon. House has not been called upon to deal with the administration of laws of this kind, but if they had been they would find the Criminal Code of Canada was replete with provisions of this kind. In fact, there are more provisions than the authorities are able to carry out, and it is a mistake to be changing these provisions from year to year at the demand of well-meaning organizations. They are not the proper parties to insist on legislation. As the hon. gentleman from Prince Albert has just said, once they get an idea that the law should be amended they want to put it through right or wrong. I submit to this hon. House that the judges, the police officers, the criminal overseers, are quite satisfied with the legislation now on the statute-book in regard to this question, and I fail to see the necessity of changing the law. I for one, knowing and seeing, and having to do with the question, feel that it would be a most unwise thing to make the inmates of a house of that kind guilty of an indictable offence. If the House accept that amendment, it would only be spreading the evil and making the scandal worse. I have already told this House that the magistrates and the judges of this country are careful enough with regard to the protection of girls to keep the scandal as circumscribed as possible, and to minimize the evil results of this illicit traffic, and I do not want these things flaunted in open Queen's Bench, or open court, before juries. It would not tend to remedy the situation in any respect. On the contrary, it would make matters worse. I think the hon. House would do well to leave the legislation which is now on the statute-books unchanged. I am not going to say that the proposed legislation is evil, but under the present circumstances it is unnecessary, and will only make the law more obscure. It is only making inmates of these houses liable to be indicted before a full court and I think I am right in trying to save the public from that kind of action.

Hon. Mr. LOUGHEED—Hon. gentlemen will pardon me if I again make explanation of the amendment as proposed. Hon. gentlemen are doubtless familiar with the fact that many moral reform institutions have been established throughout Canada. In fact, I think every province of Canada

has given considerable attention to this class of legislation, namely the establishment of moral reform associations, for the reformation of women particularly. Under the Act as we find it to-day, the penalty for being inmates of bawdy houses is a term of imprisonment that is too short, for the purpose of carrying out any scheme or policy of reform, as to these inmates. Hon. gentlemen can very well appreciate the fact that to reform women of this kind they should come under the influence of these institutions for a longer period than at present fixed by the Act.

Hon. Mr. CLORAN—Have not I pointed out to the hon. leader of the Government that the present penalties are heavier than tne ones suggested? We have institutions for the care of these inmates in the city of Montreal and they are condemned to six months imprisonment and $100 fine. If they do not pay the fine they get another six months.

Hon. Mr. LOUGHEED—This proposal changes the law to the extent of making it an indictable offence; at present it is a summary offence. It is proposed to lengthen the term of imprisonment from six months to 12 months, and which is entirely in the discretion of the court. In some cases the court may consider it in the interest of the offender that the imprisonment should be lengthened to the maximum provided by the Act. Some of these institutions have directed the attention of the Government to the fact that the present term of imprisonment is entirely inadequate to permit these institutions to exercise a reforming influence upon women of this character.

Hon. Mr. POWER—I am sorry that the hon. gentleman from Portage la Prairie should have felt it his duty to bring this matter up again. It was discussed at reasonable length in Committee of the Whole when there was a fairly full House, and now the matter is brought up when there is a very thin House with a view of reversing the decision that it came to on Thursday. The hon. gentleman tells us, and the hon. leader also says that there are certain people who are interested in moral reform who are anxious that this legislation should be adopted. I have a great deal of respect and admiration for the ladies and gentlemen, chiefly ladies, who are professional moral reformers. It is a pleasant occupation to improve one's neighbourhood without always improving oneself. I have noticed that these moral reform people, admirable as they may be, are not always people who are gifted with practical wisdom. They see an evil which they think should be abolished, and they suggest some remedy. They do not stop to think whether those means are going to be successful. When we discussed this matter in committee, I think it was pointed out that the practical result of the adoption of these clauses of the Bill would be to do a great deal more harm than good. Who are the people that ought to be the best judges as to what ought to be the most practical way of dealing with this question? Are they not the police authorities of the various cities? You will find that the police authorities are not in favour of this sort of legislation. As it is now, this particular form of vice in most of our cities is confined to certain well-recognized localities. The police authorities have these localities under supervision and can control the mischief. If you pass legislation of this kind, then that evil, which is now confined to certain more or less undesirable localities in each city, will be scattered all over the city and the mischief done will be very much greater. People who are now perfectly good but perhaps not very wise will be led into temptation and the evil will be much more widespread than it is to-day. I think we should let things stand as they are. It is not necessary that we should make this an indictable offence and propose very serious penalties to give the court jurisdiction to send parties up for 12 months in order to send them to the reformatory. The existing law provides for that, and if it does not, it would be very easy to put in a clause of that kind.

Hon. Mr. WATSON—That is what the Bill is for.

Hon. Mr. POWER—Having decided the matter the other day, the House should stand by that decision.

Hon. Mr. BOSTOCK—I should like to make a few remarks in answer to my hon. friend from Halifax. One reason why this legislation is asked for at the present time is that this offence comes under a separate clause of the Criminal Code. Clause 238, paragraph J, states:

Every one is a loose, idle or undesirable person or vagrant who has come from, or is an inmate of a disorderly house, bawdy house, or house of ill-fame, or house for the resort of prostitutes, or who is in the habit of frequenting such houses and does not give a satisfactory account of himself or herself.

The object of the 7th paragraph is to repeal these two paragraphs in clause 238. As the Criminal Code at present stands, with these two paragraphs in it, there is the right of appeal in any case where these people are prosecuted under clause 238. It has also been held that, on account of that, where they are prosecuted under other clauses in the Code, making this an indictable offence, they also have the right of appeal. As I understand it, in trying to enforce the law, those who have taken an interest in this matter have found that this, being subject to the right of appeal, has prevented the law being put into effect. I think, therefore, the action of my hon. friend from Portage la Prairie in moving to have these clauses restored is a good one.

Hon. Mr. DAVIS—Will my hon. friend give me the definition of inmate.

Hon. Mr. BOSTOCK—It is in the Code.

Hon. Mr. CLORAN—Surely this Parliament is not going to refuse any criminal the right of appeal; that is the fundamental basis of criminal law, the right to appeal. Why should not the poor inmate of a house of that kind not have the right to appeal as well as the banker, thief, robber or murderer.

The amendment was carried on a division: Contents, 23; non-contents, 3.

Hon. Mr. CLORAN—Before the third reading is carried, can I find out from any of the authorities in this House what the vote was when these clauses were thrown out and when we had a full house? We have only one-quarter of the representation present.

Hon. Mr. DAVIS—I have noticed, more particularly when we have three sessions on one day, that there is always somebody wanting to take advantage of a thin House to spring something of this kind.

Hon. Sir MACKENZIE BOWELL—Why do not the senators attend to their business?

Hon. Mr. DAVIS—My hon. friend does not always attend to his business; he is sometimes away.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. WATSON—The House is not taken by surprise. This was put on the Order Paper for Thursday, and one of the reasons why I gave that notice was because there was a thin House when the clause was struck out. There were not as many present as there are to-day.

The motion was agreed to, and the Bill was read the third time and passed.

CONTINGENT ACCOUNTS OF THE SENATE.

Hon. Mr. LOUGHEED—As I was, in a sense, responsible for placing on the table the Sixth Report on Internal Economy, I should like to ask His Honour the Speaker when he will be prepared to make any announcement to the House on that report.

The SPEAKER—I understood that that report was ordered to lay on the table to-day. If there is no objection, I will be ready to give a decision Monday morning.

SUPERANNUATION OF MR. J. B. TRUDEL.

The Order of the Day being called:

Consideration of the letter from Mr. J. B. Trudel in re his superannuation.—Hon. Mr. Casgrain.

Hon Mr. WATSON—I move that this subject be now taken into consideration.

The SPEAKER—I propose that the motion should be that the request contained in the letter of Mr. Trudel be granted.

Hon. Mr. THOMPSON—The second paragraph of Mr. Trudel's letter reads as follows:

I also take the liberty to ask, under the provisions of section 12 of chapter 17 of the Revised Statutes, to allow me ten additional years of service, so that my superannuation allowance may be sufficient to provide for the needs of my family.

I find that Mr. Trudel has 22 years of service to his credit, which, under his present salary, would give him $1,200 odd per year as a superannuation allowance. I have no further opinion to express in regard to adding 10 years to his service, which would mean an addition of $560 per annum to his superannuation. I have no strong feeling against it.

Hon. Mr. POWER—It is the duty of the Government to protect the treasury, and the hon. leader of the Government is the gentleman who should settle this question.

Hon. Mr. LOUGHEED—I have not given any consideration to the subject. No intimation has been made to me in regard to this particular matter. I think that communication should be had with the Government. I presume it would come by way of a recommendation from this House. Has any recommendation been made by the committee to His Honour the Speaker?

Hon. Mr. THOMPSON—No, only the letter of Mr. Trudel, which appears at page 388 of the Minutes.

The SPEAKER—The letter was put in my hands, and I thought it my duty to place it before the House, so that this Chamber might act as they deem best. This question comes up on a motion to consider the letter. I suppose that motion should be followed by one indicating what is the opinion of this House in the matter. What is asked by Mr. Trudel is that he should be superannuated. There is a clause in the Audit Act which permits 10 years to be added to the time an employee has served, provided it does not bring his service to more than 35 years. He has served 22 years and asks to be considered as having served 32 years, according to the Audit Act, which involves the giving of 10 additional years. It is for this House to recommend or oppose the request of Mr. Trudel.

Hon. Mr. CLORAN—If the law gives the Senate that power and it is sanctioned by Parliament, and is on the statute books, then I say the official's request should be granted by this House. He is not violating the law. He is taking advantage of the law, which gives him the right to do so, and I do not see that this House can set itself up and protest against the provisions of the law. Trudel is perfectly justified in making that request. Whether the House has the power to vote the extra amount, I am not prepared to say. The leader of the Government, the watch dog of the treasury in this House, would, I think, be pleased to receive any intimation from this House as a recommendation or refusal. I would recommend that the application of Mr. Trudel be favourably taken into consideration.

Hon. Mr. LOUGHEED—I move that the Clerk communicate the facts which have been laid before the House to the Treasury Board, and the Treasury Board, if they desire further information, can communicate with the Senate.

Hon. Mr. WATSON—I have no hesitation, as mover of this resolution, in making the motion. Occupying the position of Chairman of the Internal Committee for a number of years, I may say that I know nothing of translating myself, but I know that this man was a very hard worker and said to be an efficient translator, and I have no hesitation in giving him the benefit of anything that may be in the law.

The motion was agreed to.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill 105, An Act to amend the Government Railways Act and to authorize the purchase of certain railways.

(In the Committee.)

On clause 1—"Acquisition of railways and works."

Hon. Mr. BOSTOCK—Has the hon. leader of the Government considered the proposal made by the hon. gentleman from De Lorimier when the Bill was up for second reading as to the amendment in the 28th line thereof, and is the Government willing to accept the amendment?

Hon. Mr. LOUGHEED—Consideration has been given to the amendment proposed by the hon. gentleman from De Lorimier. The Government cannot see its way to accept the amendment for the reason that it proposes tying up the hands of Parliament in such a way as to take from it the discretion which it always exercises on a money vote. Hon. gentlemen will see that what is asked to be done is this: authority is to be given to the Government to do a particular act in acquiring certain branch lines of railway. The Senate having authorized the Government to do this by a Bill, namely this Bill we are now considering, proposes further that, notwithstanding the Government exercising the authority vested in them by Parliament, they shall again come back to Parliament, and introduce another Bill ratifying what they have already done. Hon. gentleman will readily see that the position of Parliament to-day upon the acquisition of any property of this kind is that they need no special legislation. If the Government choose to accept the responsibility of acquiring property, they may come down to Parliament and place in the Supply Bill an estimate for the purpose of paying

whatever the consideration may be. It is now proposed to fetter and shackle Parliament to this extent that it should not exercise the discretion it has to-day. This, I might say, on lines of general policy would be very unwise. Entirely apart from the particular undertaking with which we are dealing, Parliament could ignore such a statute. Let us assume that my hon. friend should make this amendment in this Bill, and the Minister of Railways at next session of Parliament should bring down an appropriation for the purchase of a particular line of railway, and some hon. gentleman should invoke the statute which was this year passed, Parliament would at once say: "We are not bound by any statute as to what Parliament may do in a matter concerning which it has the fullest and most abundant discretion." That is the situation. As far as Parliament is concerned, it is entirely unnecessary. It seeks to limit the discretion of Parliament in a way entirely contrary to well established practice and precedent. In regard to the general policy involved in the Bill, it also would be objectionable. The Intercolonial railway is a large system of railways being operated by the Government of Canada. It must necessarily come into rivalry, into opposition and competition with other lines of transportation. To the party administering the railway should be given the fullest possible power, so that it may exercise its discretion as to what is in the interest of the railway, precisely to the same extent as other transportation companies exercise discretion in such matters.

Hon. Mr. BOSTOCK—I do not think any companies, such as the Canadian Pacific Railway for instance, could purchase branch lines without referring the matter to their shareholders.

Hon. Mr. LOUGHEED—Oh, yes. If it occurred to any of those transportation companies to-day that the acquisition of a road was necessary to the operation of the entire system, the president, or general manager of that company without any hesitation, on his own responsibility, would assume the obligation of purchasing the road, relying on the shareholders or the board afterwards to confirm it.

Hon. Mr. BOSTOCK—But he would lay it before his shareholders afterwards.

Hon. Mr. LOUGHEED—Not necessarily. Hon. gentlemen who are more or less familiar with the transaction of the executive business of large corporations know that the president, particularly in cases where immediate action is required, will at once assume the entire responsibility of dealing in matters such as I have pointed out without any delay whatsoever. It seems to me that in the administration of the Intercolonial railway the Government of the day should certainly be vested with sufficient discretion to exercise the responsibility incident to assuming such an obligation, without being tied up to an embarrassing extent involving delay and disadvantages, by Act of Parliament such as has been suggested for trammelling the free action of railway administration, particularly concerning the Intercolonial railway.

Hon. Mr. BOSTOCK—I did not wish to interrupt my hon. friend when he was speaking. But I was rather surprised at his statement that this legislation would fetter Parliament. As I understand it, if there is any restriction in the legislation, it would be a restriction of the Government, and more especially of the minister administering the Department of Railways and Canals for the time being, but it would not in any way fetter Parliament itself. Parliament is supreme and can deal with things as they wish.

Hon. Mr. LOUGHEED—The hon. gentleman admits that they can set it at naught.

Hon. Mr. BOSTOCK—I do not quite see the point.

Hon. Mr. LOUGHEED—If they are supreme they need not observe the restrictions.

Hon. Mr. BOSTOCK—The Minister of Railways is the member of the Government who will be dealing with this matter, and the amendment merely requires the Minister of Railways to come to Parliament to have his action confirmed. This matter was dealt with in the year 1910, when the late Government was in power, and certain amendments were made to the Bill that was then brought into the House. I do not want to go into the whole history of it, because hon. gentlemen will remember that has been done on more than one occasion. In 1913 we had a Bill of this nature before us, and we moved an amendment asserting the rights and privileges of the Senate, as one branch of Parliament in this country, to be considered in dealing with questions of this kind.

Hon. Mr. DOMVILLE—We killed the Bill and kept the country behind twelve months.

Hon. Mr. BOSTOCK—I draw attention to the fact that the Government to-day has considered the questions brought up by the Senate at that time, because in clauses 2 and 3 of this Bill they do exactly what the Senate suggested on that occasion they should do. In those clauses they deal with the particular railways that the Minister of Railways proposes to purchase on behalf of the Government of this country. I still think that the hon. leader of the Government in this House should be jealous of the rights and privileges of this Chamber, and that he should consider those questions in that light as much as any other hon. gentleman in this Chamber would. The effect of this legislation, as I understand it, is that the money for the purchase of any of those roads is put into the Supply Bill and the Senate would not have any opportunity of dealing with it unless they were prepared to throw out the Supply Bill or to move to strike out that particular item. Hon. gentlemen on this side of the House I think are very largely of opinion that appropriations of this nature should be dealt with in a separate Bill, so that both Houses of Parliament should have a better opportunity of expressing their opinion of this kind of legislation, but inasmuch as clauses 2 and 3 of the Bill are dealing with the acquisition of particular railways for which reason the Bill should go through, I would not propose at the present time to move this amendment, as the leader of the Government in this House is not prepared to accept it, but must throw on the leader of the Government in this Chamber the responsibility of standing up for the privileges of the Senate.

Hon. Mr. CLORAN—The explanation just given by the leader of the Opposition is one that appeals to me probably just as strongly as the statement made by the hon. gentleman from Rothesay (Hon. Mr. Domville) last Wednesday or Thursday. The hon. gentleman for Rothesay, one of the well known business men of that province, knows as much about the question as any senator of this Chamber. His views, and the manner in which he put them, appealed to me very strongly. The requirements of New Brunswick are not extensive. They are not beyond our means, especially when we are throwing away millions of dollars on rotten boots and otherwise. I think that province should come in for a little, and the appeal made by the hon. gentleman has had a great deal to do in bringing me over to the side of the Government on this question. I am glad to see the hon. leader of the Opposition has taken the same stand also. There is no doubt that in voting large sums of money Parliament—that is the Senate and the House of Commons—should have absolute control over the expenditure of that money, but as the leader has well pointed out, it is not a blanket vote that we are going to give the Government. We stipulate that it shall be such and such a road that is required in the interest of the province of New Brunswick and the Intercolonial railway. That money is going to be voted specifically for that purpose. Things are not brightening at all for Canada in regard to the revenue of the country, and the Maritime Provinces are suffering more than we are further west, and, under the circumstances, I am prepared to support the measure and allow the Government according to the stipulated terms of the Bill, to acquire those rights in the interest of the province of New Brunswick and of the country at large.

Hon. Mr. POWER—As the hon. leader of the Opposition has said, we dealt with this measure on two or three occasions before, and I do not see any reason, when a Measure of this kind comes before us which proposes to render nugatory the restrictions that are placed upon the Government when a measure of this kind was last before us, why we should not express our opinion now. There has never been any objection to the Government taking power to construct 25 miles of railway where they deem it necessary to effect a connection between the Government railway and another railway, or to make necessary extensions to a Government railway, but as to that particular matter, this Bill contains a provision that the Government shall not build 25 miles of new railway until the money has been voted by Parliament. On the other hand, this Bill undertakes to give the Government power to acquire from any existing railway company a line up to 200 miles in length. This measure takes away the obligation on the part of the Government to get the consent of Parliament to that transaction. I think it is only necessary to state that to show how unreasonable the proposal is. If it is necessary that Parliament should give the Government permission to build 25 miles of railway, surely it is much more necessary that Parliament should give the Government power to acquire a road that is 200 miles in length. Look at the particulars

which have been given. The Canadian Pacific railway, for instance, own a railway in Nova Scotia which is about 200 miles in length. Under this Bill the Government could, without reference to Parliament, acquire that Canadian Pacific railway road in Nova Scotia. The Canadian Pacific railway own a couple of hundred miles in New Brunswick, and any government could, on the eve of an election—and you can understand how far Governments will go on the eve of an election—arrange with the Canadian Pacific railway to take over these roads under this Bill if we do not amend it. In addition to the Canadian Pacific Railway lines, there is a road in the northeast part of New Brunswick about 80 miles long, which I fancy will never pay working expenses, and seeing the Intercolonial Railway is not now a paying concern, why should we tie on a number of non-paying roads to the present system? In Nova Scotia there is the Halifax and Southwestern railroad, about 200 miles long; another non-paying property. It will be seen that if this Bill passes in its present form and without any restriction, the Government will be in a position to buy up all the non-paying roads in the lower provinces without Parliament having an opportunity of saying a word with respect to the bargains. The hon. gentleman who leads the Government has made a statement with regard to the competition that the Intercolonial Railway is working under. It has been a matter of common remark for the past few years that the Intercolonial Railway is, apparently, being run to a certain extent rather in the interest of the Canadian Pacific Railway, and that the Government treat our Intercolonial Railway, not as a competing line of the Canadian Pacific Railway, but as a sort of feeder. To give one instance, the Maritime Express used to leave Montreal at noon, and the passenger going from Ottawa to Amherst, Moncton or Halifax could leave here in the morning by the half-past eight train and catch the Maritime Express at Montreal. Within the last few months the hour of the departure of that train has been changed, and one has to go to Montreal the evening before in order to catch the Maritime Express, the result being that passengers, instead of going by the Government road, take the Canadian Pacific railway, because one can leave here in the morning and not be obliged to stay over in Montreal. That is just one instance of the way the Government business is being conducted. I asked at the railway office if there was any connection at Montreal between the train from Ottawa and the train from Montreal to Halifax, and was told "No, the Intercolonial Railway is not looking for business from us." I just mention that to show that we shall be completely in the hands of the Government and the Canadian Pacific Railway.

Hon. Mr. DOMVILLE—I did not propose to take part in this discussion, but when the hon. senator from Halifax (Hon. Mr. Power) refers to the railway in New Brunswick that connects with the state of Maine, and upon which a very large steel bridge is to be opened in a few days to connect with the lumber camps, I am obliged to say something. We have struggled for years to get that road going, and private individuals have put their shoulders to the wheel, and now my hon. friend gives out to the world that that road will not pay expenses. I do not consider that a fair criticism. If it does not pay expenses that cannot be helped, but supposing it does not, that country has as much right to be developed as any other part of Canada. Both sides in the House of Commons passed this Bill, and I do not suppose our judgment is so very much superior to the judgment of that House. We are getting tired of this wrangling, and I want to see the Government do its duty and develop the country. I object to any one saying that the Intercolonial Railway is controlled by the Canadian Pacific Railway. I have no doubt the Intercolonial Railway, if completely freed from politics, would do very much better, and it is doing much better now. Speaking of the Maritime Express, I do not know that it carries many passengers, because it takes so long to go around that north shore. I hope my hon. friend will insist upon this Bill going through in its entirety.

Hon. Mr. TALBOT, from the committee, reported the Bill without amendment.

Hon. Mr. POWER—I hope my hon. friend will postpone the third reading until Monday.

The SPEAKER—Third reading.

Hon. Mr. POWER—His Honour the Speaker knows he cannot do that without suspending the rules.

The SPEAKER—His Honour the Speaker knows he can do that, because there is no

amendment to the Bill, and it can be read immediately.

Hon. Mr. POWER—If the hon. gentleman will look at the rules he will see that the Bill cannot be read a third time now, and the leader of the Government in charge of the Bill said Monday.

Hon. Mr. LOUGHEED—On account of the absence of my hon. friend from De Lorimier, and altogether apart from the point of order, I take it that the Bill ought to be read on Monday next at the first sitting.

The third reading was set for Monday.

The Senate adjourned until three o'clock this afternoon.

Second Sitting.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

GORDON DIVORCE CASE.

REFERRED BACK TO COMMITTEE.

The Order of the Day being called:

Consideration of the twenty-second report of the Standing Committee on Divorce, to whom was referred the petition of Albert Edwin Gordon, together with the evidence taken before the said committee.

Hon. Mr. DANIEL moved the adoption of the report.

Hon. Mr. DAVIS—I have gone through the evidence in this case, and I am under the impression that the matter should have further consideration by the committee. I therefore move that this report be referred back to the committee for further consideration.

Hon. Mr. CLORAN—I second the motion, and my reason for doing so is the simple fact that I am informed by senators who were in attendance on the committee, though perhaps not members, that very, very, very important evidence, although probably a little on what you might call the filthy side, does not appear in the report. I think the matter should be referred back to the committee to have all the evidence taken.

Hon. Mr. WATSON—If this vote carries would it mean opening up the case for further evidence?

Hon. Mr. EDWARDS—Certainly.

Hon. Mr. LOUGHEED—It would depend on the action of the committee as to what they would do.

The House divided on the amendment, which was carried on a standing vote, on the following division:

Contents, 19; non-contents, 6.

Hon. Mr. BOSTOCK—I did not vote on this occasion; I was paired with the junior senator for Halifax (Hon. Mr. Roche). Had I voted I should have voted against the amendment.

INLAND REVENUE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 115, An Act to amend the Inland Revenue Act. He said: The object of this amendment is to permit the shipment in bond of small packages of tobacco containing less than five pounds, and packages of cigars containing less than 25 in number, from one point to another in Canada. There is no provision now in the Inland Revenue Act to permit of this being done. It is very desirable to have such a provision for the purpose of meeting the requirements of ships stores, both on the Pacific and Atlantic coasts, so that the manufacturers of Canadian tobacco may be able to ship from their bonded warehouses to bonded warehouses in St. John, Halifax, Vancouver, or Victoria, as the case may be, such packages as I have mentioned.

The motion was agreed to, and the Bill was read the second time.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

On clause 1:

317. No tobacco of any description when put up in packages containing less than five pounds, and no cigars when put up in packages containing less than twenty-five cigars each, shall be removed in bond from one warehouse to another, whether within the same or any other Inland Revenue division: provided, however, that such tobacco and cigars may be so removed under such regulations as may be made by the minister when such tobacco or cigars are intended for shipment as ship's stores.

Hon. Mr. BOSTOCK—Are there any regulations published at the present time?

Hon. Mr. LOUGHEED—I really could not say to my hon. friend. I think these regulations are published in the Canada Gazette from time to time.

Hon. Mr. McKAY (Cape Breton) from the committee, reported the Bill without amendment.

Some hon. GENTLEMEN—Third reading now.

Hon. Mr. POWER—There is no objection to the third reading if rule 63 is suspended.

The SPEAKER—It is not necessary to suspend the rules. The Speaker's ruling is not a question of leave of the House but a vote of the House. If the House decides this Bill may be read a third time to-day, it is not necessary to suspend the rules.

Hon. Mr. POWER—It is perfectly true that in England, where they have not the same strict rules that we have, that may be the case, and it is also the case in the House of Commons. It just happens that the Senate has passed a rule dealing expressly with this question. That is rule 63, to be found on page 25 of the Senate manual, and is as follows:

No Bill shall be read twice the same day, no Committee of the Whole House shall proceed on the same Bill the same day the Bill has been read the second time, and no Bill shall be read the third time if the Bill is reported from the committee.

That is an express rule; it is not something that rests on the practice of Parliament. There is no objection if the hon. gentleman moves the suspension of the rules.

Hon. Mr. LOUGHEED—I move that rules 63 and 24a be suspended in so far as they relate to this Bill.

The SPEAKER—I am man enough to admit that my hon. friend is right.

The motion was agreed to, and the Bill was read the third time, and passed.

The Senate adjourned until Monday next, at 8 p.m.

THE SENATE.

Monday, April 5, 1915.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL.

THIRD READING POSTPONED.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 105, An Act to amend the Government Railways Act, and to authorize the purchase of certain railways.

Hon. Mr. BOSTOCK—Would the hon. gentleman permit that order to stand until to-morrow afternoon?

Mr. DOMVILLE— Why should it stand? Does my hon. friend want to have it thrown out?

Hon. Mr. BOSTOCK—No.

Hon. Mr. DOMVILLE—We should proceed with it. This Bill interests a large part of the community in our section of the country and there is no reason why it should not be passed. We are obliging in regard to any measure which interests the people of the West, and I call upon the leader of the Government to insist on passing this Bill.

Hon. Mr. BOSTOCK—I move that the Order of the Day be discharged and that it be placed on the Order Paper for to-morrow.

Hon. Sir MACKENZIE BOWELL—Would the hon. leader of the Opposition inform the House why he desires that this measure should be postponed until to-morrow?

Hon. Mr. BOSTOCK—The reason I make the request is that there are some hon. gentlemen not present to-night who are interested in this matter, and I therefore ask the hon. leader of the Government to allow it to stand for one day.

Hon. Mr. LOUGHEED—Let it stand.

Hon. Mr. DOMVILLE—That is no reason why it should stand. These parties live in Montreal and they should be here. I really think this is going too far. If the House chooses to postpone the measure, I cannot do anything, but I appeal to the good sense of the House to permit this measure to be put through to-night.

Hon. Mr. CLORAN—I do not know what the leader of the Government is going to say, but this Bill met with a great deal of obstinate opposition for two long sessions, 1909 and 1910, or 1911-12. Last week the House adopted this measure, and the hon. leader of the Opposition, who, with the other members of the Liberal party, during two previous sessions had opposed the Bill,

permitted it to go through. On the present occasion the hon. leader of the Opposition undertook to support the Bill for certain reasons. The Senate passed the Bill unanimously, if I may use that word, last Friday or Saturday. It was put off at the request of some hon. gentleman to permit the hon. senator from De Lorimier (Hon. Mr. Dandurand) to express his views once more. That hon. gentleman gave the House all the explanation he could, from every point of view, when he opposed the second reading of the Bill; he did it in a masterly way, I admit, but evidently not in a convincing manner. The hon. gentleman is absent, and was absent last Friday or Saturday when the Bill was on the Orders for third reading. The committee reported the Bill unanimously, and at the request of some hon. senator, it was postponed until to-day. I do not see that the convenience of one man should be consulted, when the convenience of thousands and thousands of people is involved. They have had a response from the House of Commons. They had their answer, incomplete it is true, last Friday and Saturday. To-night they want a complete answer. In my judgment the leader of the Government should stand by his Bill. The leader of the Opposition is in favour of the Bill, and the entire House is in favour of the Bill. It is paying too much deference to any member of the House to postpone the adoption of the Bill, even if it were the leader of the Government or the leader of the Opposition. This is an important measure and affects an entire province, and the interests of many people. I think the House should adopt the Bill now. What will it avail if the third reading is postponed until to-morrow? The hon. senator from De Lorimier will come here and repeat his objections, and they will have no further effect than to retard business. It will not affect the minds of the hon. senators who have already voted in favour of this Bill. I was influenced by the arguments of the hon. senator from Rothesay (Hon. Mr. Domville) in favour of the Bill, although originally I was opposed to it. In view of his lucid arguments and the light he was able to throw on the subject, and after hearing the explanations given by the hon. leader of the Government, which were more to the point on this occasion than when the Bill was last before the House, and the leader of the Opposition being in favour of it, I was willing that the Bill should go through. The Government assume the responsibility for this Bill, and they might as well be responsible for a Bill of this kind as for all the contracts they enter into in spending the $50,000,000 that was voted to them for war purposes last August.

Hon. Mr. CASGRAIN—The hon. senator for De Lorimier, whose name has been mentioned this evening, asks me to inform the House that it is absolutely impossible for him to be present before the meeting to-morrow afternoon, and he requests that the third reading of this Bill be postponed until the second sitting to-morrow. He does not wish to raise any factious opposition; he simply desires to make some explanations. I would not ask to have the third reading of this Bill postponed if I were not in favour of the measure. I approved of it, not only when our own party brought it in, but since it has been introduced by the present Government. I have always been in favour of giving the Minister of Railways every latitude in the matter of buying railways, because I recognize the fact that without such it is impossible for him to carry out any transaction. The demand that this Bill should stand over is not unusual. The hon. senator for De Lorimier will be here to-morrow afternoon, and I think, in fairness to him, we should postpone the third reading. The hon. senator for De Lorimier has adways been fair to every member of this House.

Hon. Mr. DOMVILLE—I see no reason why this House should be held up by one man. We are not here to be influenced by one or two men. In my opinion, there are three or four men on each side who want to dictate to this country and this House. That cannot be done, and the sooner these gentlemen know it the better. There are many hon. gentlemen who do not take a prominent part in the proceedings of this House, but there are others who try to down His Honour the Speaker, and we are not here to allow that kind of thing to be done. This is a clear question of right and wrong. Whatever the minister of the day says I am prepared to accept, but it is unreasonable to ask that this Bill stand over simply for the convenience of one man who really has no importance before this country.

Hon. Mr. POWER—It is a very unusual thing when the leader of the Opposition asks and the leader of the Government agrees that a measure should stand until to-morrow that hon. gentlemen should undertake to interpose and say it shall not stand.

Hon. Mr. CLORAN—Do you want to abolish the other senators?

Hon. Mr. POWER—There is no desire to burk this Bill. It will be read the third time to-morrow and will be assented to at the close of the session, and will become law just as soon as if we had assented to it to-night.

Hon. Mr. DOMVILLE—There is too much of the schoolmaster abroad here.

Hon. Mr. LOUGHEED—With the enthusiastic support this Bill has received from my hon. friends on the opposite side of the House I feel satisfied that the passage of this measure will not be jeopardized in the slightest if we allow it to stand until to-morrow.

The motion was agreed to, and the Order was allowed to stand until to-morrow.

CONTINGENT ACCOUNTS OF THE SENATE.

CONFERENCE WITH COMMITTEE.

The Order of the Day being called:

Consideration of the sixth report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.—Hon. Mr. Power.

Hon. Mr. LOUGHEED—On Thursday last the report of the Internal Economy Committee was laid on the table to be considered the following Saturday, and it was afterwards postponed until to-day. I should like to ask the Speaker if he has any recommendations to make concerning that report, or any action he proposes to take.

The SPEAKER—I have taken a course similar to the one I took last year. When a motion of the same kind came before the House and I had given my decision declaring it out of order, there was a conference between some of the members of the committee and myself. I have prepared a compromise paper that I would have been very happy to discuss with my hon. friends of the committee. It was handed over to the leader of the House, but perhaps too late to permit him to have the conference with the hon. gentleman; I will put it again into the hands of the leader of the House if he will be kind enough to accept it. A conference may be held, and if we come to an arrangement, so much the better; if not, the report will come up to-morrow.

Hon. Mr. LOUGHEED—I have brought the matter up with the view of having any recommendation of His Honour the Speaker submitted to the Senate through the Internal Economy Committee. It occurred to me that that probably would be the best channel through which to discuss the desirability of arriving at some satisfactory conclusion upon the various subjects embodied in the report. If His Honour has such a recommendation, it seems to me that it would be in the interest of all concerned—and we are all striving to promote the public interest—that it should be laid before the Senate and taken up by that committee with the view of a report afterwards being submitted.

Hon. Mr. POWER—I understood His Honour the Speaker to say that he would be pleased to meet, I do not know that he said the committee, but I assume he would be pleased to meet the committee, and discuss the matters dealt with in his paper with the committee. In that case we can talk the matter over before we meet to-morrow.

The SPEAKER—I suppose we have no meeting to-morrow morning?

Hon. Mr. LOUGHEED—No, there is no business before the Senate that will require our meeting to-morrow morning.

The SPEAKER—There might be a meeting of the committee to-morrow morning so that we will be all ready for the first session after that.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Tuesday, April 6, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

PARLIAMENTARY INVESTIGATION.

Hon. Mr. CLORAN—I would inquire of the leader of the Government, in view of the fact that the Senate has very little to do just now, if he would persuade his colleagues to transfer some of the investigations now proceeding in the Lower House to this Chamber. We would hold a very impartial inquiry here, and there would be less turmoil. The hon. leader of the Government in this House would do well to insist on his colleagues in the Government transferring some of that business to the

Senate, so that prorogation might take place earlier than they expect.

The SPEAKER—Is that a notice of motion?

Hon. Mr. CLORAN—It is against the rules, but I might as well make the suggestion.

GORDON DIVORCE CASE.

MOTION.

Hon. Mr. TAYLOR—In the absence of the hon. gentleman from Brockville, I move that the fee paid upon the petition of Albert Edwin Gordon be refunded to the petitioner less the cost of printing.

Hon. Mr. CLORAN—Do I understand the case is withdrawn?

Hon. Mr. TAYLOR—It was thrown out.

Hon. Mr. CLORAN—All right. I want that on record.

Hon. Mr. DANIEL—It was sent back to the committee.

Hon. Mr. CLORAN—Then has the Senate thrown it out? That is what the country wants to know. We should not refund the money unless the case has been finally and definitely dealt with. I have no objection to the request, on the understanding that the case is definitely withdrawn and will not be heard of again this session.

Hon. Mr. TAYLOR—Next session.

Hon. Mr. CLORAN—That will be all right.

The motion was agreed to.

BILLS INTRODUCED.

Bill (106), An Act to amend the Representation Act, 1914.—Hon. Mr. Lougheed.

Bill (114), An Act to amend the Adulteration Act.—Hon. Mr. Lougheed.

Bill (116), An Act to amend the Inland Revenue Act.—Hon. Mr. Lougheed.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (105), An Act to amend the Government Railways Act, and to authorize the purchase of certain railways.

Hon. Mr. CLORAN—I desire to say to the hon. House that the action taken by the hon. gentleman from Rothesay (Hon. Mr. Domville), and myself, is fully justified by what is occurring now.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. CLORAN—If this course is not a mockery of Parliament I should like to know what it is. Here is a Bill that should have been passed last Friday or Saturday, adjourned for the convenience of and out of deference to a certain member, and at the very last moment there is not a word to be said against the Bill. I am making this remark, not to tantalize the hon gentleman from De Lorimier, but to put hon. gentlemen on their guard, in order that when adjournments of this kind are sought it must not be at the very last hour after Parliament has passed on the Bill. We have had an instance of a concrete character. Last Thursday we defeated a proposed amendment to the Criminal Code by a very substantial majority. A certain member gave notice of reconsideration, and nobody knew until the following day that the Senate would be asked to rescind its vote. He accomplished his object, because a number of the senators who had voted to strike out the clause of the Bill were absent, and a majority of the few members who were present voted to retain the clause. The result was that the decision of the majority when there was a larger attendance was reversed by a narrow margin. That almost makes me agree with the proposition of the hon. senator from Halifax that seven days' notice should be given before undertaking to rescind a vote. I cannot agree with his opinion every time it is expressed, and the hon. gentleman in front of me is the guilty party in this matter.

Hon. Mr. WATSON—Order, order.

Hon. Mr. CLORAN—The hon. gentleman interrupted me and I interrupt him. We have to be on a fair basis, all senators equal and no one or two senators to run the institution. We have to be consulted in the running of this institution. No two or three senators can pull strings and put legislation through the House.

Hon. Mr. WATSON—Order.

Hon. Mr. CLORAN—That is order for you and that is what you deserve.

Hon. Mr. WATSON—The hon. gentleman has named me.

Hon. Mr. CLORAN—I have not named you at all.

Hon. Mr. WATSON—The hon. gentleman has named me as the person who gave notice to have a certain clause in the Crim-

inal Code reinstated. I did the proper thing at the proper time.

Hon. Mr. ROSS (Middleton)—Unquestionably.

Hon. Mr. WATSON—Every member had notice, and it came up in the regular way and was voted on.

Hon. Mr. CLORAN—I do not dispute the fact; it is the fact that I complain of.

Hon. Mr. WATSON—You said "without notice."

Hon. Mr. CLORAN—I did not say "without notice." I said the hon. gentleman gave notice on Monday, but it was not sufficient notice for the vast majority of members, because they left on Thursday and were not here on Saturday.

The motion was agreed to.

CONTINGENT ACCOUNTS OF THE SENATE.

ORDER DROPPED.

The Order of the Day being called:

Consideration of the ninth report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. POWER—Hon. gentlemen, as this is not a very important report, and as I understand His Honour the Speaker to have some objection to it, the feeling of the committee is that it would be better not to push the matter any further, I therefore move, seconded by the hon. leader of the Government, that this Order of the Day be discharged.

The SPEAKER—I do not attach any importance to this report and I should be very sorry to have it withdrawn as an expression or as a result of a compromise which failed to be realized. It is better that it should stand as a token of the disposition of the hon. the chairman of the committee with regard to myself. It does not hurt me whether it stands or falls, and I have never asked to have it withdrawn.

Hon. Mr. BOLDUC—I was the member of the committee who moved to have this report withdrawn. I thought it might reflect on the present Hon. Speaker, and I am glad that the hon. senator for Halifax has moved for the withdrawal of the report.

The motion was agreed to.

ONTARIO BILINGUAL SCHOOL QUESTION.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion moved by the Honourable Mr. David, seconded by the Honourable Mr. McHugh:

This House, without derogating from the principle of provincial autonomy, deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bilingual school question and believe that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the fathers of Confederation, and with the spirit of our Constitution; and the motion of the Honourable Mr. Bolduc, in amendment, seconded by the Honourable Mr. Pope:

That this House, without derogating from the principle of provincial autonomy or suggesting in what manner any province should exercise its powers in matters of education, deems it proper to regret the existence in any province of Canada of divisions in connection with bilingual school or other national or religious questions, and believes that it is in the interest of the Dominion at large that all such questions should always be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious societies of this country, and in accordance with the letter and spirit of our Constitution; and also, the motion of the Honourable Mr. Power, in amendment to the amendment, seconded by the Hon. ourable Mr. Derbyshire:

That the said amendment be amended by striking out all the words therein after the words "this House" and substituting therefor the following: "while it believes it is in the interest of the Dominion at large that all questions as to which divisions exist among the people of any province should be considered on fair and patriotic lines and settled in such a way as to promote peace and harmony between the different racial and religious elements of the population, is of opinion that, inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces, any suggestion volunteered by the Senate as to the manner in which any province should exercise its power would be contrary to the spirit of the constitution and calculated to intensify and extend any divisions of feeling that now exist."

Hon. Mr. BOYER—This discussion was started about a month ago, and has proved to the House what we might call a full dress debate, conducted in some quarters in a masterly way. The legal points, pro and con, have been discussed by the best legal talent the House possesses. A ques-

tion that is talked about too much threatens to become stale; therefore my remarks to this motion will be very short. I was rather surprised by the remarks of our hon. colleague for South Bruce, who said that he regretted that this might be turned into a political question. That has been said before, and I suppose it will be said again. Let me tell the hon. gentleman that for fifteen years running we were treated in the province of Quebec three times a day to the Manitoba school question. We had it for breakfast in the morning papers, for lunch at noon edition, and for dinner in the evening papers. Who made a political issue of the Manitoba school question? Certainly not the Liberal party. For sixteen years elections were run in the province of Quebec on this very question. I can recall the words of the present member for the county of Jacques Cartier, who lately succeeded the Hon. Mr. Monk. In every contest where he took part he discussed, for an hour to an hour and a quarter, the Manitoba school question. He made it one of the planks of the Conservative platform, and on it the elections were fought. I can remember the way in which he raised his eyes to Heaven and said if Heaven granted that the Conservative party should be returned to power, in four and twenty hours we would get back our schools and our rights in the province of Manitoba. The Conservative party had been in power for four years, and with its advent into power the agitation on the Manitoba school question died. We expected in this debate to have a few words of encouragement from my hon. friend from Provencher (Hon. Mr. La Rivière), a gentleman who has been very active in his province on the school question, but it appears that the school question is settled, because we have not heard a word from him. At the session of 1913 the hon. gentleman told us that the Government of Manitoba had nothing to do with the question. It was the Legislature of Manitoba that would take action in the matter and compel the Government to act, and the hon. gentleman broadened his chest and said, if the Government of Manitoba took no action he would.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BOYER—Then he said if at the following session no action should be taken to settle the Manitoba school trouble, he would bring in legislation, but three sessions have gone by and nothing has been done. As I said before, with the advent of the Conservative party into power the agitation died. It was simply a stepping stone to get the Conservative party into power, and when once that object had been achieved, all grievances were forgotten. Coming back to the question, as to whether we had a right to discuss in this House the Manitoba school question at the time of the extension of the limits to Keewatin, I do not see why the Senate should not express its opinion on this question when we discussed the Manitoba question in 1913. We have had an expression of opinion which, in my humble opinion, should satisfy the mover of this resolution. Not a single voice has been heard against the teaching of the French language in any province of the Dominion, and on that we should rest. I would say to my hon. friend that he has had great success in bringing forward this motion, and he should rest on his oars and be satisfied. We can tell the country that the Senate did not divide on the question, and that there was a unanimous expression of opinion in favour of teaching French in the schools all through the Dominion of Canada; that a knowledge of the French was recognized not only as an accomplishment but as being necessary in this country. On that we should rest, and on that I shall end my remarks.

Hon. Mr. DANIEL—I move the adjournment of this debate until Thursday afternoon next.

Hon. Mr. BOLDUC—Before the question is put I cannot let the remarks of the hon. gentleman from Rigaud (Hon. Mr. Boyer) pass without answering them. I am not against the adjournment of this debate, but when I hear a gentleman of this House state that the Manitoba school question has not been used by the Liberal party as a political issue in the province of Quebec, I say positively that I heard many speeches made in the province of Quebec in 1896, and the only question discussed was the Manitoba school question by the Liberal speakers.

Hon. Mr. CLORAN—Why?

Hon. Mr. BOLDUC—Because, when the Remedial Bill was presented in the House of Commons by Sir Charles Tupper, the Liberal party of the province of Quebec did not oppose the passing of the Remedial Bill. There were thirteen members of the House of Commons who were opposed to the Bill, and who had sworn that the Bill should never pass, and had decided to prolong the discussion until the expiration of Parliament. We know that these gentle-

men could not have kept up the debate so long, had they not been helped by Liberal members from the province of Quebec. We know how they stood on that occasion. Whenever one of the thirteen members who had vowed to prolong the debate was exhausted and about to abandon the discussion some member of the Liberal party from the province of Quebec would rise and move the adjournment of the debate, and on that adjournment would speak for from five to ten hours, giving the members who were opposed to the passing of the Remedial Bill time to rest and sleep and come back refreshed to continue the obstruction. It was stated publicly by many speakers, that the Remedial Bill was ineffective, and would not be accepted by the province of Manitoba, but that if Sir Wilfrid Laurier were at the helm he would settle the question without trouble.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BOLDUC—We know very well how he fixed that question, and we know very well that the Bishop of St. Boniface has never been satisfied with the settlement. I want merely to say that the Liberal party in the whole province has viewed that school question as a weapon to use against the Conservative party. In every county the question was discussed, and the Liberal party promised that they would do much better than the Conservative party had done.

Hon. Mr. CHOQUETTE—I could not let that statement go without repudiation. Surely my hon. friend is incorrect in his statement in answer to the hon. gentleman from Rigaud. The hon. senator from Rigaud stated that the school question had been kept up against the Liberal party for fifteen years, and that is perfectly true. The proof of it is that since 1896 we were accused of having been traitors to the Manitoba French and Catholic people in voting against the Remedial Bill.

Hon. Sir MACKENZIE BOWELL—No doubt about that.

Hon. Mr. CHOQUETTE—And being so attacked we were obliged to defend ourselves.

Hon. Mr. BOLDUC—The Liberal party accused the Conservatives of being traitors.

Hon. Mr. CHOQUETTE—No, the contrary is the truth. We were taken to task and charged with being traitors to the Manitoba French and Catholic people in voting against the Remedial Bill, and in answer we took the proper stand, that it was a Manitoba question and should be settled by that province.

Hon. Sir MACKENZIE BOWELL—No doubt about that.

Hon. Mr. CHOQUETTE—I repeat that for the fifteen years, from 1896 to 1911, the Tories accused the Liberals of having made a bad settlement of the school question, and promised that if they should be returned to power they would restore Catholic schools in Manitoba.

Hon. Sir MACKENZIE BOWELL—Nothing of the kind.

Hon. Mr. CHOQUETTE—Yes, it is true; and we have always been obliged to defend ourselves in the province of Quebec against this foolish accusation of being traitors to the minority in Manitoba. It is also true that the venerable Archbishop of Winnipeg was not satisfied with the settlement of the school question, but since 1911 he did not say a word on the subject, his friends having obtained the reins of power; and I congratulate him, because he has to go back to the Tory party there to get them to restore the schools, but so far he has done nothing. The statement of the hon. gentleman from Rigaud is absolutely correct. The whole of the Tory party of Quebec has made a political question of it, and now they are trying to make use of this simple resolution of my friend from Mille Iles, giving only an expression of opinion about the schools in Ontario. They are again raising the political question. No Liberal so far has said a word about politics in the discussion in this House, but the Tory papers are making false statements; also a public employee: a deputy minister, Mr. Vincent, and another Tory in Ottawa, Mr. Champagne, ex-M.L.A., are abusing the Liberals, who were on the same platform with Tories, like His Honour the Speaker, the Hon. Mr. Chapais, in Quebec, but they did not attack them.

The SPEAKER—I beg pardon, I was attacked once.

Hon. Mr. CHOQUETTE—It was not much of an attack. I admire the position His Honour the Speaker took with Mr. Chapais and others. The motion of the hon. gentleman from Mille Iles is that, in the interest of peace, harmony and justice, something should be done in Ontario to redress the grievance of the French Catholic minority, because it is the proper place to do it, just as Manitoba would be the proper

place to settle the school question in that province, if the Tories say it is not settled. The hon. gentleman from Lauzon (Hon. Mr. Bolduc) has certainly misunderstood the hon. gentleman from Rigaud, for he would never, in the interest of his own party, say a word about the school question, which was always held as a sword against the Liberal party. I remember the hon. gentleman from Provencher (Hon. Mr. La Rivière), asserting in this House that if his friends in Manitoba did nothing in the matter he would himself move an amendment, something in the form of a Remedial Bill, to solve the Manitoba school question. He never did it. I dare him to do it. So Tories here and outside had better keep quiet and not talk politics about these resolutions now before this House.

Hon. Mr. CLORAN—This new element of the debate attracts me very much. It is much like an electric light with the flies buzzing around it. I rise for the purpose of recalling to the hon. gentleman from Lauzon that his observations of the different campaigns in Quebec in 1896 for twenty years were not taken with a fair pair of glasses. His glasses were lopsided. Attacks may have been made by the Liberals against the Conservatives in regard to their method of dealing with the question; but I know, having been all through those campaigns, from New Brunswick to the northern part of Ontario, that the Conservatives confronted us with every difficulty they could place in our way with regard to this question. They charged us, and especially Sir Wilfrid Laurier, as leader of the French-Canadians, with being traitors to our race, to our creed, church and religion. Has the hon. gentleman from Lauzon not heard these charges hurled at the head of the Liberal party of that day? Did he ever hurl any of those charges against the Liberal party himself? I venture to say the Hon. Speaker was probably one of the most prominent in hurling these charges at the Liberal party throughout the Dominion, especially in Quebec. He says we were not accused. Let me recall to the hon. gentleman from Lauzon (Hon. Mr. Bolduc) one fact which he will remember, that the Archbishop of St. Boniface in Manitoba, left his palace and came right down in the heat of the election, from that province to the city of Montreal, to La Prairie and to Napierville, his birthplace, to denounce the Liberal candidate in the counties of Napierville and La Prairie, Mr. Monette, now judge of the Superior Court in the province of Quebec. Here was the highest dignitary of the church in Manitoba coming down to take part in the fight on the side of the Tories against the Liberals, and the Tory press repeating his remarks day after day until the election took place, I think on the 23rd of June, 1896. Were the Liberals disgruntled? Was our friend Mr. Monette, the member for Napierville and La Prairie, angry? No. On the eve of the election—and the hon. gentleman from Lauzon will remember it—he sent a telegram to the Archbishop, who had returned to his See, which he should not have left on such a mission, congratulating him on the success of his work in favour of the Tory candidate. Of course it was sarcastic, but he did not show any animus. The good natured Liberal candidate who carried the county in spite of the Archbishop let it pass. We have no ill-feeling in regard to the matter, but when it is necessary to protest we protest on fair and honest grounds, not as the hon. senator from Lauzon has done. He has protested on unfair, incomplete and lopsided observation, one-eyed observation, only seeing his own side. I see both sides. I have had to battle with the question on many a platform throughout the province of Quebec, and thank God, we succeeded. During this debate I had occasion to allude to the action of another Archbishop, which was personally directed against myself, and caused my defeat in the county of Prescott? Does he know anything about that?

Hon. Sir MACKENZIE BOWELL—Oh yes, we know all about it.

Hon. Mr. CLORAN—Does the hon. senator from Lauzon know about it?

Hon. Sir MACKENZIE BOWELL—I do not know whether he does: I do.

Hon. Mr. CLORAN—Then you appreciate the services of the archbishop in beating me as a Liberal candidate?

Hon. Sir MACKENZIE BOWELL—I appreciate all the Liberals did at the time in that line.

Hon. Mr. CLORAN—Yes, and you are a fair-minded man too.

The SPEAKER—The hon. gentleman should not address himself—

Hon. Mr. CLORAN—No, but I have been addressed, and I answer it back.

The SPEAKER—The hon. gentleman has no right to do that.

Hon. Mr. CLORAN—Do what?

The SPEAKER—If the hon. gentleman wants to speak of a member of this House he must say "the hon. member for such a place," not "you."

Hon. Mr. CLORAN—I have been saying that all along as far as the hon. senator from Lauzon was concerned, and when the hon. senator from Hastings addressed me personally I gave it back to him.

Hon. Sir MACKENZIE BOWELL—I did not address you at all.

Hon. Mr. CLORAN—You addressed nobody. I have given enough of the facts, not imagination, not false observation—I will not say a false observation, but incomplete observation—in regard to this question, and as the hon. senator from Rigaud (Hon. Mr. Boyer) has pointed out, there has been an attempt to term this motion of the hon. senator from Mille Iles into a political football once more in the interests and on behalf of the Conservative party. This debate has been going on for weeks, and the silence is ominous. Nobody has spoken on the question except the English or French Liberals; and I stated to several, "The silence is ominous, what does it mean? The Tories are taking no part in this debate." Then, after two or three weeks the hon. senator from Bruce (Hon. Mr. Donnelly) and hon. senator, Mr. Mason, undertook to take part in the debate. So now, the debate is on two legs instead of being on one; what we desire the country should have is a fair expression of the opinion of the House in regard to the matter—nothing more. We are not dictating to Ontario or to any province; we have no right to dictate, but, as I said in a previous effort, it is within our rights and privileges as a deliberative body to express an opinion and advise what is amicable.

Hon. Sir MACKENZIE BOWELL—I have an indistinct recollection of something having been said in the past about the Manitoba school question.

Some hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I confess my regret that my hon. friend from Rigaud introduced this question. To my mind it was quite unnecessary. I do not propose to follow him in the statements he has made in reference to what took place some years ago in connection with the Manitoba school question. I rise mainly for the purpose of recording my opposition in toto to that which he has attributed to the Conservative party in the Dominion in reference to the separate school question. If any one will take his speech, so far as it relates to the Manitoba school question, and substitute the word Liberal in every place where he used the word Conservative, he will have an exact exemplification of what took place during that discussion.

Hon. Mr. CLORAN—That is pretty good.

Hon. Sir MACKENZIE BOWELL—My hon. friend is altogether too intelligent a man not to know what took place in the past, and he is altogether too intelligent a man not to know what is taking place to-day. He knows, or ought to know, that the school question in Manitoba is as far from being settled to-day as it was fifteen or twenty years ago, when his party attained power by making use of the agitation upon that question. If he has any doubt about it let him appeal to the Archbishop of St. Boniface who has never been satisfied, and is constantly—I was going to say perpetually—urging reforms upon that school question. At the present moment one step that the Conservative Government in Manitoba took on this question has been condemned from one end of the province to the other, and very nearly lost them power in that province. To claim that the question is settled, therefore, is incorrect. I would remind my hon. friend that the opponents of the Remedial Bill talked Parliament out of existence in order to prevent the Conservative party from doing what they conceived to be justice to the separate school people of the province of Manitoba. What took place afterwards I am not going to discuss. I am prepared at any time to devote an hour or two to a full discussion of those questions, because I know something about them—at least, if I do not I ought to. The hon. gentleman, for whom I have the most profound respect, in mooting this question without due reflexion, did a great wrong to his own party and to his own professed feelings.

Hon. Mr. CLORAN—He was sitting on the nest of traitors, that is all.

Hon. Mr. DANIEL—With the consent of the House, I would ask that the debate be adjourned until the first sitting to-morrow.

The motion was agreed to.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Wednesday, April 7, 1915.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

INTEREST ON SAVINGS BANK ACCOUNTS.

INQUIRY.

Hon. Mr. POWER rose to

Call attention to the unfair and illiberal way in which depositors in Canadian banks are dealt with, and to ask whether it is the intention of the Government to increase the rate of interest on deposits in the post office and other Government savings banks?

He said: The subject to which I propose to call attention is one of considerable moment. I had the honour two years ago of bringing this matter before the House; and I spoke on it, not at great length, but at some reasonable length. I do not propose now to make a speech on the subject, but simply to call attention to the position of things. Hon. gentlemen are aware that the chartered banks of this country have been remarkably prosperous during the past few years. We find that most of the banks have a rest almost equal to their subscribed capital, in some cases considerably greater, and that they are paying dividends on the original capital of anywhere from 10 to 14 per cent, and generally they manifest, in the character of their buildings and otherwise, the signs of great prosperity. It is a good thing for the country that their banking system is successful and that their banks are prospering. But I think that a little more extended distribution of the prosperity would be on the whole desirable, and there is no class of our population which deserves more consideration from the bankers than the people who deposit in their savings banks. The money deposited in the savings banks is, as a rule, the result of careful living and saving. It is the work of people who have, in some cases, been exerting themselves during perhaps half a lifetime, and have laid by what are comparatively small sums of money, but sums which are of great importance to them, and in a great many cases the money in the savings banks really belongs to the widows and families of men who have contrived to save. It seems to me that, inasmuch as the bankers nowadays get on an average not less than 7 per cent for the money which they lend to business people and farmers, they might allow the people whose money they are using, the money deposited in their savings banks, something more than 3 per cent. I do not think there can be any question about that. I call attention to the fact that these banks cannot get money from any other source at such a low rate as 3 per cent, and therefore they might deal a little more generously with the depositors. It seems to me that in this instance, as in so many other instances, the middleman gets more than he should. The money in the savings bank is taken by the middleman and loaned to the consumer at about 7 per cent, while the producer gets only 3 per cent. I wish to call attention to the fact that several years ago, when the banks were not as prosperous as they are to-day, and the rate of interest was not quite as high as it is now, when it had got over 6 per cent the Government advanced the rate of interest payable to depositors to 4 per cent. A sense of justice, and a sense of their own interest, should induce the banks to be more liberal with their depositors. So far for the banks; now as to the Government. At the present time, the Government seem to consider it in their interest to look after the manufacturers, the farmers and certain other classes. It is equally their duty to look to the interest of the thousands of comparatively humble people who have their money deposited in the savings banks. At the present time the Government of Canada is paying 4½ per cent to outside lenders for money, while to our own people, whose interest they are supposed to protect, they pay only 3 per cent. They pay 50 per cent more to the outside lender, than they pay to their own people. That to me seems an unnatural and indefensible condition of things. Referring to the banks, the deposits in the old-fashioned savings banks amounted to $14,553,000, and in the post office savings banks to $42,661,000, making altogether $57,215,261.

Hon. Mr. THOMPSON—That was two years ago.

Hon. Mr. POWER—Yes, it may be more now. If the Government paid 4 per cent instead of 3 per cent, they would distribute among people of comparatively limited means each year a sum of over $570,000. The most important effect of the change in the rate of interest in the Government Savings Bank would be that the banks would be obliged to raise their rate of interest to the same rate as that paid by the Government Savings Bank.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—Hon. gentlemen may be surprised to know that that would result in the distribution of about $6,350,000 a year more than is now being distributed among a very desirable class of our population.

Hon. Mr. LOUGHEED—You mean $600,000.

Hon. Mr. POWER—No, I mean $6,350,000; that is by the banks. Hon. gentlemen will see that the depositors in this country are as deserving a class as there is in the country and that it is the duty of the Government to use the power which they possess under the Act to raise the rate at least to 4 per cent, considering that they are paying 4½ per cent to outside lenders.

Hon. Mr. DOMVILLE—I agree with my hon. friend that the depositors should get a higher rate of interest. Last session I proposed a Bill that the Government should issue small bonds, but exception was taken to it on the ground that it was a money Bill. I still believe that if the Government would issue small bonds of $10 at 4 per cent, the result would be that, instead of the public depositing their money in the banks, they would take these small debentures, which would be as good as cash. If the Government can pay 4½ per cent for money, they might just as well issue these small ten dollar debentures, and they would be getting the money at a fair rate of interest, and would not have to hold gold to cover the debentures, because the public would pass these debentures from hand to hand, and the Government would not be called upon to redeem them.

Hon. Mr. BEIQUE—The hon. gentleman from Halifax has stated one side of the question. It is true that banks declare dividends as high as fourteen and fifteen per cent and more, but the hon. gentleman has not called attention to the fact that these dividends are on the paid-up capital of the bank, and do not represent anything like fourteen or fifteen per cent on the paid-up capital and reserve of the bank. They hardly represent six per cent in many cases. Therefore, it is a dividend which is paid on the accumulation of the profit, and this accumulation of profit is necessary for the stability of the banks and in the interest of the country. Therefore, it is misleading to merely call the attention of the public to the fact that the dividends are as large as stated without giving the other side of the case. The hon. gentleman has stated that the banks are prosperous. We should all rejoice and be gratified at that condition of things obtaining in this country. It is in the interest of the whole of the people of Canada that the banks should be prosperous, and they are prosperous, probably, because they are getting deposits at a low rate of interest; but we must remember that these deposits are mostly all payable on demand, and therefore each bank has to keep millions of dollars for the purpose of being able to meet calls which may be made on them at any time, to guard against runs on banks and to prevent a disastrous state of affairs occurring. If they were to pay a larger rate of interest, with the experience I have had I would be of the opinion that they might not be able—and I believe they would not be able—to keep a reserve large enough to meet calls. Look at the condition of affairs in other countries, especially to England. Do the English banks pay a larger rate of interest than is paid to the depositor in Canadian banks? Nothing of the kind. Instead of being paid a higher rate of interest, depositors very often pay the bank for receiving their money on deposit, and when they get any interest on their deposits, they receive a very much smaller rate of interest in England than depositors get here. What would be the consequence of the suggestion made by the hon. gentleman if it were put in practice? It would be to raise the rate of interest all over the country.

Hon. Mr. POWER—Yes.

Hon. Mr. BEIQUE—If banks are able to supply the capital that is required for the commerce and industry of the country, it is mainly by reason of the deposits, and if the rate of interest on the deposits were raised the rate of interest on advances would likewise be raised, and it would be a disturbing element all over the country. It is true that in years past the rate was four per cent, but at that time what was the governing rate of interest? It was eight and nine per cent all over the country. Of late years, since the crisis commenced it is true that the rate of interest has been raised, but not by the banks as a rule. For certain kinds of transactions, especially loans on real estate, the rate of interest has been raised, but for many years the rate of interest to commerce and industry in general has been about 6 per cent. It

is in the interest of the country that the present rate on deposits should continue.

Hon. Mr. CLORAN—The principle underlying the motion of the hon. senator from Halifax is one that will have to be fully recognized in the near future. The present gentlemen of the Senate will probably not be called on to enforce its application, but there is not the slightest doubt that the views put forth by the hon. gentleman from Halifax upon this question are views entertained by nine-tenths of the population of Canada. Unfortunately, it is one of these matters as to which everybody's business is nobody's business. Nine-tenths of the population of Canada are supplying the sinews of war for the capitalist, call him banker, manufacturer or whatever you like. It is the working man who is supplying the funds. It is the working man who has a dollar or two to save and puts it in the savings banks that supplies the money which turns the wheels of industry, that keeps the plough going and practically maintains all the charities in the country. The capitalist, whether he be a banker or a manufacturer, or the heir to large estates, does not put his money in the Post Office or any other savings bank. He is too cute to deposit his money in a savings bank at 3 per cent interest when he can put it into enterprises, whether of the forest, the mine, or the factory yielding anywhere from 3 to 30 and even 50 per cent on his investment. The poor man cannot do that. The two or three dollars a week paid by him will not enable him to establish a factory or buy a gold, a silver, or a coal mine. He is not in the position to buy timber limits and make millions out of the country's wealth. The poor man stands alone, and there are so many of them that nobody takes his case up. What is everybody's business is nobody's business. The result is that the so-called wealthy men, millionaires and capitalists found institutions without risking any of their own money; they take the money of the poor working man to run these institutions. I was astounded, and I think this hon. House must have been very much surprised to hear the hon. senator from De Salaberry (Hon. Mr. Beique) state that in England depositors had to pay banks to take their money. If the hon. gentleman has proof of that statement, he should give it to the House and to the country. I should like to see the depositor who has to pay his bank to take money. Is the hon. senator able to cite any instance of that kind? If he is not, why blind the people with declarations of that kind? Instead of paying the banks to take their money, I do not know of a case in any country where the depositor does not exact some kind of a return on his deposit That brings me back to the proposition suggested by the hon. gentleman from Halifax, and it is this: that when the national Government of any country—we will take Canada for example—goes abroad to negotiate a loan and pays 4 and 4½ per cent for money and refuse to pay as high a rate to their own people, that national Government is derelict in its duty. If the Government would on a demand for a loan proclaim to the working man of Canada that he would get 4½ per cent for his money, instead of having 42 or 47 million dollars in the national treasury, we should have 500 million. We would have every dollar of the workingman's savings under the control of the Government. When the Government was borrowing $100,000,000 for this war, why did they not say to the people of Canada: "Instead of allowing 3 per cent interest on deposits we will give you 4½ per cent for every dollar that you lend the Government for the purposes of this war." Had they done that, the Minister of Finance would not have had to leave the shores of Canada to get the money. The Treasury would not be able to hold the money that would flow into it, and it would not be necessary to ask England to guarantee our loans. I know that I myself would put a few thousands dollars at the disposal of the Government if they would give me 4½ per cent, and I dare say there is not a man in Canada who would not do likewise. Hon. gentlemen, why not pay 4½ per cent on deposits? As the hon. gentleman from Halifax said, give it to deserving classes, the classes which create the wealth of the country, the toiling classes. Why not give them the same benefit as we give the foreigner? That is a question that has to be answered, but it will not be answered here to-day. Governments come and go, and Governments are tied up by capitalists. Look out for the day when labour will be united as the manufacturers and the capitalists are united. That day may bring harm to the country if the matter is not properly looked after now. I contend that the suggestion made in this motion will tend to allay discontent among the working classes of this country. They now feel that they cannot get justice or fair play, but they say there are men in the administration of the public affairs of

the country who are looking after our interest and trying to do the best they can for us, and we will bide our time. This motion is a warning to Parliament and the legislators of this country that all their efforts should not be in the direction of advancing the interests of a small number of our people. This is a vast country with a population of only seven or eight millions, but beware of the time when the population of this country reaches 15 to 25 millions. The people of that day will not stand for legislation that looks to the interest of the few as against the interest of the many.

Hon. Mr. CHOQUETTE—What rate of interest do they pay in the United States?

Hon. Mr. CLORAN—I am not going to base my argument on comparisons, because comparisons are odious. I am putting my case as the hon. senator for Halifax put his, on facts. You might ask me what interest they pay in Timbuctoo. What has that to do with the question? We base our case on the actual facts as they exist in Canada to-day. We are not asking for anything unfair or unjust. When you have nine-tenths of the population putting their dollars into the hands of a few men, then the Government of the day should see that these few men do not rob them of nearly all the benefits they should receive from that money. The hon. senator from De Salaberry said the banking interests are prosperous and that some pay dividends of 15 per cent, but he went on to say that that did not represent what it purported to represent. Why, some banks have paid as high as 50 per cent and 100 per cent.

Hon. Mr. DOMVILLE—Where?

Hon. Mr. CLORAN—I believe the Bank of Nova Scotia is a pretty good illustration of the dividends that can be paid from the poor man's money. The province of Nova Scotia ought to be congratulated on the fact that it has a strong banking institution, equal to, if not stronger than the Bank of Montreal. Where does the money in that bank come from? The capitalists do not make it; they do not deposit their money in the savings banks. The manufactures of this country are run largely by the sweat of the brow of the working man and the servant girl. Out of the $57,000,000 in the Government banks, probably one-quarter, if not one-third, is made up of wages earned by hired help.

Hon. Mr. DOMVILLE—What about liquid assets in the United States?

Hon. Mr. CLORAN—I do not know about that, but I do know that the King of England is trying to drive them out of his kingdom.

Hon. Mr. DOMVILLE—The banks take this money and lend it in New York at 4½ per cent, and that is what they call liquid assets.

Hon. Mr. CLORAN—My answer to the hon. gentleman is the same as the answer I gave to the hon. gentleman from Grandville. I am not basing my case on comparisons at all, but on the facts. Why do we see the banks paying only 3 per cent and charging from 6 to 10 per cent when they make loans? They get all they can squeeze out of you when you ask them for a loan. There is no regular rate of interest, and if you go to a bank and ask for a loan of $1,000, they will size you up and charge you accordingly.

Hon. Mr. DOMVILLE—That is their business.

Hon. Mr. CLORAN—That is a business Parliament should put down. We are not prepared to do that to-day because the administrators of Parliament are too much tied up. If you have a friend in the bank who is one of the directors, or the manager, then you are favoured, and you may possibly get money at 5 per cent, and probably without putting up any security. That has occurred in the city of Montreal to my own knowledge. Men without any security whatever have obtained loans from the bank for half a million dollars, and when the loan was not repaid the bank had to go to the wall, and the depositors lost everything, because the manufacturer who had borrowed the money could not pay. What does that mean? It means that the depositors got thin air for the results of the sweat of their brows. The same thing has happened in Toronto and other large centres, where so-called capitalists take the money of the poor and squander it in erecting luxurious buildings costing millions of dollars. Where did the money come from to erect these luxurious buildings? Where does the money come from to pay the extravagant salaries that are paid? Does the bank manager put up a cent of the money? No, he draws it from the poor and the poor alone. That is the position of things in Canada to-day. Canada is not sufficiently

enlightened to grapple with the question, but she is being enlightened fast, and the day is coming when the people of this country will insist upon being properly safeguarded.

Hon. Mr. POWER—I should like to say a word in reply to my hon. friend from De Salaberry, who spoke of the dividends paid by the banks of ten and fourteen per cent as being on the original capital. That is perfectly true, and the dividends on the present capital are not as great as that. But what constitutes the rest upon which the dividends are now supposed to be paid? These rests are simply accumulated profits —profits which the banks did not distribute, and in that way in some cases they have more than doubled their original capital. I think we have a right to consider that on the original capital they are making a particularly handsome profit.

Hon. Mr. EDWARDS—I do not think this question is very well understood by all the senators of this House, and I do not pretend to say that I understand it from every point of view myself. We have three classes of people in Canada who are involved in the question under discussion. Primarily the stockholder of the banks, then the depositors and the borrower. All are important to the well-being of Canada. One hon. gentleman said that if the Government would issue bonds of small denomination they would through this medium be able to secure all the money they require for carrying on the war, as far as Canada is concerned. That would be a great mistake, because if the money deposited in the banks were so used, the commerce of this country would be at an end. We are all looking to the development of Canada. The commercial and industrial borrower is the man who develops the recources of Canada, who creates a demand for labour, and enables the depositor to earn the money he deposits. What is the position of the stockholder? He subscribes for a certain amount of stock in the bank, and thereby assumes a double liability. In case of insolvency of the bank, he is liable for double the amount of his stock. What is his return? I am not one of those enjoying returns, but the stockholder gets only 4 to 4½ per cent. The highest he has ever received is 5 per cent, perhaps a little more in some instances. His position is really, after all, not to say very much better than that of the depositor. Then again, what would be the position of the depositor if the banks did not do as they do, that is maintain large reserves to enable them to respond to the repayment of deposits whenever demanded; or as has been pointed out by the hon. member from de Salaberry (Beique) namely that our banks always have to maintain large reserves for this purpose.

Hon. Mr. DOMVILLE—No.

Hon. Mr. EDWARDS—My hon. friend says no. I admit that it is quite time that in the case of savings bank deposits three months' notice may be availed of, but the banks of Canada have never availed themselves of this privilege.

Hon. Mr. POPE—The banks of Canada do not hold gold in reserve, dollar for dollar.

Hon. Mr. EDWARDS—If they held dollar for dollar against deposits they would have no money to lend. I want it perfectly understood I am not advocating the interest of anybody. I am simply trying to put this matter fairly and squarely.

Hon. Mr. MITCHELL—My hon. friend said the stockholder had only received 4½ and 5 per cent. Why should not the stockholders get more than that? Why should the money be spent in erecting large structures, which do not even appear on the balance sheet? Why do not the banks pay larger dividends and not tie up their money?

Hon. Mr. EDWARDS—The cost of bank structures in Canada is a subject of considerable comment. I take it that these buildings are in proportion to the business requirements of the banks. My hon. friend might defend the insurance companies. No companies in the world have such expensive structures as the insurance companies, and no companies pay such high salaries.

Hon. Mr. CLORAN—And the widows and orphans get less.

Hon. Mr. EDWARDS—My hon. friend also referred to the accumulation of surpluses. If he were a large stockholder of a bank, I have no doubt he would see to it that a surplus was created to protect him against the double liability.

Hon. Mr. BEIQUE—For the purpose of being able to supply the money in case there is a run on the bank by the depositors.

Hon. Mr. CLORAN—At the expense of others?

Hon. Mr. EDWARDS—It is not at the expense of others. It is not at the expense of the depositor. So far as the borrower is

concerned, I may say that if the borrower had to pay a higher rate of interest than he is now paying, the effect would be to cripple the Dominion in its industries at a time when it is most desirable that Canada should promote the development of industries in every possible way. In dealing with this question let us be fair. It is perfect nonsense to say when you borrow money at 3 per cent and lend it at 6 per cent therefore, you are making 3 per cent. Nothing of the kind. The bank does not make a net profit of over 1 per cent on its total deposits. It makes a very good return now if it makes 1 per cent.

Hon. Mr. CLORAN—Why?

Hon. Mr. EDWARDS—Because, as in all other undertakings, it costs something to carry on banking, and where the bank takes the responsibility of being the guarantor, which it is for the depositor, it conserves his money, lets it out in industry and helps develop this country. I am in the position of a borrower from the banks, and I find no fault that banks should pay a reasonable rate of interest on deposits, and that a reasonable rate of interest should be charged to the borrower. But this is not a time when it would be desirable to bring about a condition whereby you would hamper the development of the country by raising the rate of interest to be paid by the borrower. I am not here defending the borrower for one moment. I am simply trying to be frank in dealing with the question. I judge, from some speeches which have been made, that some hon. gentlemen at least do not at all understand the question. I heard the remark made a little while ago that when the population of this country reaches 20 millions there will be a change so far as these conditions are concerned. In countries where there is a far greater population than we have in Canada, much lower rates of interest are paid on deposits, and my hon. friend is quite correct in saying that in many cases in England the bank actually charges for taking care of the deposit money.

Hon. Mr. CLORAN—Name one.

Hon. Mr. EDWARDS—Looking over the English bank returns hon. gentlemen will see there is a great amount of free money which pays no interest, and a certain amount of deposits on which interest is paid. On a vast amount of deposits in England no interest is paid, and I have it from the general manager of a bank in Scotland that in his bank, and in certain banks in England, a charge is made for the safekeeping of money. My hon. friend (Hon. Mr. Bostock) shakes his head, but I know positively as to that. I understand my hon. friend has some money in the Bank of England, on which he is getting no interest, but he is paying nothing for the safekeeping thereof. The Bank of England is a different institution entirely from the general joint stock companies of England. My hon. friend from de Salaberry is perfectly correct in his statement that a charge is made in some cases by the banks for the safe keeping of money. I concur in the opinion which has been expressed that fair play should be given the depositors, but the stockholders should also be considered. Who are the stockholders of our banks? Are they the wealthy men of Canada? Not at all. The vast amount of the stock of banks in Canada is held by widows, orphans and poor people. The commercial men of this country are not the people who hold bank stock to any considerable extent. The so-called wealthy people of this country are not stockholders in banks. It is only gentlemen who have retired from business, or people of that kind who invest in bank stocks in a general way. Bank stock is a very unpopular investment, and it would be very unwise in the present condition of affairs in Canada to make bank stocks any more unpopular than they are to-day.

Hon. Mr. CHOQUETTE—I have listened to my hon. friend's very interesting lecture with regard to banks. The hon. gentleman from Rothesay (Hon. Mr. Domville) suggested that the Government might issue small bonds bearing 4 per cent interest, and raise money in that way to prosecute the war. To that the hon. gentleman from Russell (Hon. Mr. Edwards) replied that the effect of such a policy would be that there would be no money for the trade of the country. But is it not true that if the banks would not invest money in foreign stocks, but would keep it here for the trade of this country, they could lend the Government the money they need and have enough money left to accommodate the trade of the Dominion?

Hon. Mr. EDWARDS—I have great pleasure in answering that question. There is not one single dollar loaned by the banks of Canada in New York which is not loaned in the very best interests of Canada.

Hon. Mr. CHOQUETTE—Is there any money loaned in that way?

Hon. Mr. EDWARDS—Money is loaned on call which is available in 24 hours, and if that money were in Canada not one single dollar of it would be loaned at all. An hon. gentleman asked why is it not loaned in Canada on call? Call loans in Canada are an impossibility; the market is not large enough. Money so loaned on call in New York practically constitutes a portion of the bank reserve and is a positive advantage to the Canadian borrowers and every one in Canada. And again referring to the matter of deposits, which after all constitute the bulk of the banks' funds in Canada, if such were invested in Government bonds, Canada would be crippled and you might as well leave the country.

Hon. Mr. CLORAN—What about France? Every dollar earned by the farmer in France is loaned to the Government.

Hon. Mr. EDWARDS—If my hon. friend keeps on asking me questions for some time he will learn something of the question. My hon. friend does not discriminate between a borrowing country and a loaning country. Canada is, and will be for many years to come, a debtor nation. France and Britain are both lending nations.

Hon. Mr. MURPHY—Why?

Hon. Mr. EDWARDS—Because the nation's liability is to its own people.

Hon. Mr. MURPHY—Hear, hear.

Hon. Mr. EDWARDS—When Canada is as old as England, and when Canada makes the accumulation France and Great Britain possess, it will be a lending nation; but for many years to come Canada must be just what she has been for a long time, a very large debtor nation.

Hon. Mr. POPE—When the banks of Canada made call loans in New York, and wanted the money back, did they get it? Not a dollar.

Hon. Mr. EDWARDS—In 1907 the call loans that were made by the banks of Canada in New York were repaid promptly.

Hon. Mr. POPE—I object to that. The statement is not correct.

Hon. Mr. LOUGHEED—In directing the attention of the House to this matter my hon. friend has dealt with two subjects: first, he has called the attention of the House to the alleged unfair and illiberal way in which the depositors of Canadian banks are dealt with; and the other, as to whether the Government intends to increase the rate of interest on deposits. Permit me to say, in the first place, that we have no authority for regulating the rate of interest that may be paid by the banks to depositors.

Hon. Mr. POWER—No.

Hon. Mr. LOUGHEED—And it would be an unwise policy, it seems to me, for the Government in any way to interfere with the rates of interest paid.

Hon. Mr. POWER—I do not suggest that they should interfere. I said they should pay 4 per cent.

Hon. Mr. LOUGHEED—But when my hon. friend undertakes to direct the attention of Parliament to the alleged illiberal and unfair way in which our banks are treating depositors, it by implication suggests that something should be done. Permit me to say, in the first place, that money, and interest on money, is the same as any other commodity: it is subject to the law of supply and demand. Whatever money is worth it will command. My hon. friend overlooked entirely the important fact that the cost of administering the Government Savings Bank represents at least 1½ or 2 per cent. I understand the trust companies of Canada estimate the cost of administering their funds at about 2 per cent. My understanding is that a trust company will not undertake to invest money for less than that amount; and it costs the Government of Canada quite as much as it would any private corporation to handle the funds of depositors. That at least would represent 1½ or 2 per cent. Permit me also to say that the depositors in the Government Savings Bank are not so solicitous about the rate of interest they shall obtain as they are to obtain that security which depositing in any other institution will not afford. It must be quite manifest to hon. gentlemen that if we raise the present rate of interest allowed on deposits, the borrowing public of the Dominion must necessarily pay it. Let us assume for the moment that the chartered banks of Canada should increase the rate of interest to 4 per cent, as intimated by my hon. friend, it is quite manifest that the public in turn would have to pay the extra rate of interest which the banks would pay to depositors. It is as important to consider the borrowing public of Canada

when dealing with the question of interest, as it is to consider the depositor. Let us assume for the moment that the Government of Canada offered to pay on Government Savings Bank deposits a large rate of interest. It would at once take out of circulation all the money that should be available for investment and for all the industrial activities of Canada. The commercial requirements of Canada would at once be lost sight of; this money would be deposited in Government Savings Banks and locked up, and the public would be the sufferers therefrom. Hon. gentlemen must not overlook the fact, as has already been pointed out, that Canada is a borrowing nation and that the more money we have in circulation throughout all the channels of our trade, the better for the people of Canada. If the Government could obtain by deposits in the post office savings banks all the money necessary to meet its obligations and could obviate the necessity of floating loans in the European money markets, it must be manifest to hon. gentlemen that that would mean taking out of circulation money which we need for our commercial activities and handing it over to the Government of Canada, thus dispensing with the necessity of the Government bringing into Canada from a foreign country the money required for our national purposes. I think hon. gentlemen will agree with me that that would be very unwise. Another element that hon. gentlemen have overlooked is this: that the banks, in administering the deposits for which they allow, say, 3 per cent, have to bear the cost of administration, plus the tax that is imposed upon their capital. By legislation this session we have imposed 1 per cent upon the circulation of the banks; and that rate will eventually, in all probability, have to be paid by the borrowing public. The hon. gentleman from Rothesay (Hon. Mr. Domville) has suggested the desirability of the Government of Canada issuing bonds which might be purchased by the people of Canada, bearing a higher rate of interest than that which is paid in the Post Office Savings Bank. But it might be pointed out that any one who has money to deposit in the savings banks could easily, within his own municipality, purchase bonds of that municipality bearing from 4½ to 5 per cent interest. So that there need be no unnecessary sympathy expressed for the depositor by reason of his not having accessible an investment yielding a larger rate of interest than that which the Government pays.

Hon. Mr. DOMVILLE—My hon. friend misunderstood me. My suggestion was to issue four per cent bonds to furnish the people of this country a substantial security. It would not be like those mushroom towns in the West which issue municipal bonds at high rates of interest.

Hon. Mr. LOUGHEED—I have made the statement in answer to the inquiry of the hon. gentleman from Halifax, that the Government has no present intention of increasing the rate of interest on deposits in the Government Savings Bank.

Hon. Mr. DAVIS—The banks won't let them.

BILL INTRODUCED.

Bill No. 121, An Act to amend the Supreme Court Act.—Hon. Mr. Lougheed.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION TO ADOPT REPORT POSTPONED.

Hon. Mr. POWER moved the adoption of the sixth report of the Standing Committee on Internal Economy and Contingent Accounts.

He said: It will be remembered the hon. leader of the House suggested, with a view to coming to an amicable understanding in connection with this report, as to which there was some difference of opinion, that there should be a conference between His Honour the Speaker and the Committee on Internal Economy. We had a meeting and His Honour the Speaker was good enough to attend and give his views. I may say that, with one or two comparatively trifling exceptions, the views expressed by His Hon. the Speaker in the informal report which he submitted to the committee were not different substantially from the recommendations of the committee. On one or two points there was a difference. His Honour the Speaker recommended that Mr. de Montigny be transferred from the second division to the first division, and that Mr. Benoit be transferred to a higher division than that which he is in now.

Hon. Mr. CHOQUETTE—That is not in this report.

Hon. Mr. POWER—No. Whatever the disposition of the committee might have been to meet His Honour's views, they were not in a position to do so, because they felt that the House had decided the question with respect to Messrs. de Montigny and Benoit, and they could not reverse the decision of the House. In any case that

decision could only be reversed by a motion to rescind, which would require five days' notice. That really is the only very substantial difference between the scheme submitted by His Honour the Speaker and the report as it is now submitted. The committee made various slight changes in their original sixth report as a result of the suggestions to a very large extent of His Honour the Speaker, and there is not anything that I see to call for further notice except in paragraph 5, His Honour the Speaker thought that Mr. Nicholson should not discharge the duties of curator of the reading room in addition to those of his present office. The committee, after due consideration, came to the conclusion to stand by their original decision in the matter. His Honour the Speaker suggested that Mr. A. L. Garneau, Clerk of French Journals, be promoted from one division to another. That suggestion the committee willingly and cheerfully adopted. All the other paragraphs are substantially as in our original report and the document submitted by His Honour the Speaker. The final paragraph of the report, in respect to the Clerk of the House, was eliminated, because that had been provided for in former sessions by resolutions adopted by the Senate.

Hon. Mr. CHOQUETTE—When the hon. leader of the House spoke on this question a few days ago, it was by way of conciliation, but at the same time it was also in order to preserve the rules of the Senate, and to comply with the law in the matter of nominations, that nomination must be made by the committee on the report of the Clerk to the Speaker and the recommendation of the Speaker to the committee. This principle is admitted in some clauses of the report, and set aside in some other clauses. The principle should be accepted for all nominations that the Clerk (who is deputy head), should make a report to His Honour the Speaker, whose recommendation should be referred to the House. As far as the report is concerned, I have not much to say. Paragraph 7 says: "That His Honour the Speaker be requested to nominate Mr. L. Garneau." There the principle is recognized. The Speaker has recommended, and the recommendation is made. But in regard to the others, the same course is not followed. Why not? Take Mr. Jones. It is said that he succeeds Mr. Soutter. Take No. 5, that Mr. Byron Nicholson must do so and so. In No. 6, that Mr. Le Lièvre is to do so and so. I move:

That the word "not" be inserted before the word "now" and that the following be added at the end of the question, but that it be amended by striking out paragraphs 2, 5 and 6, and incorporating the same in their respective order in paragraph 7 immediately after the word "nominate."

If that is accepted the law will be followed and then the resolution will be all right. His Honour the Speaker would then be requested to make the nomination. Before Mr. Garneau add the name of Mr. Jones, which is mentioned in clause 2. Then add Mr. Byron Nicholson, mentioned in clause 5, and Mr. Siméon Le Lièvre mentioned in clause 6. Conciliation has been agreed upon and I am glad of it, I am glad that the little trouble has disappeared and that everything will now be all right, and for that purpose I move that after the word "nominate" in clause 7 we put what is contained in clauses 2, 3, 5 and 6, and thus we will include all the nominations and recommendations of the committee.

Hon. Mr. WATSON—The trouble I find with the amendment is that it does not really affect the standing or the precedence of the Speaker in this House. We have not changed the standing of these people.

Hon. Mr. CHOQUETTE—This must come as a report from the deputy head and if there is no objection, why not agree to the amendment.

Col. the Hon. Mr. MASON having been called to the Chair,

Hon. Mr. LANDRY (Speaker): According to the wishes of this House I made a proposition to the Committee on Internal Economy in regard to this matter. I take it as one of my rights, given to me by the law, that the recommendation to any appointment in this Senate must originate with me. The deputy head makes a report to the head of the department, and the head of the department puts that report before the Council. In this case, the head of the department is myself, and the Council is the Senate assembled in session. The Senate, if it pleases, may refer that recommendation to the committee. I must make the initial move, and I make it on the report of the Clerk of the House. What has been done in this present case? I took all the names that were proposed by the committee, and as a compromise I said, "I will suggest all these names, and in addition the two names referred to by the chairman of the committee," in his last speech and I submitted a draft report to the com-

mittee, and the committee has refused to accept my recommendation. Why should the committee come here to-day and propose this report as a compromise report? It is not a compromise report; it is a report in which the chairman of the committee took part of my suggestions and set the others aside. This report suggests the direct appointment by this House of three of its employees to vacant positions and on the other hand suggests that the Speaker be requested to make three other appointments. Why such a difference in the mode of procedure? The report goes on to ask that His Honour the Speaker be requested to nominate Mr. A. L. Garneau; is that making a new nomination? The hon. member for Portage la Prairie (Hon. Mr. Watson) says in one case it is a new nomination, and then he says it is only a change. It was not a new nomination. It was changing a man from one class to another class. What are we doing with Mr. Jones? He is also changing his position.

Hon. Mr. WATSON—No, he is not changing his classification.

Hon. Mr. LANDRY—I know what I am saying.

Hon. Mr. WATSON—I also know what I am saying.

Hon. Mr. LANDRY—If I am to be corrected I should be corrected properly.

Hon. Mr. WATSON—I made the statement that the case should be referred to His Honour the Speaker for recommendation where an individual was changed from one class to another, but where the individual was not changed from one class to the other we did not consider it necessary to refer to His Honour the Speaker.

Hon. Mr. LANDRY—I contend that any change in the personnel of the Senate must be proposed by me.

Hon. Mr. WATSON—We do not object to that.

Hon. Mr. LANDRY—Then why is it not done?

Hon. Mr. WATSON—When a person is not changed from one class to another, the committee does not consider it necessary to ask the recommendation of His Honour the Speaker.

Hon. Mr. LANDRY—Byron Nicholson is taken from one position and put in another.

Hon. Mr. WATSON—No, he is given additional work, but he is still in the same position.

Hon. Mr. LANDRY—Take the position of Mr. de Montigny. I proposed to change his class. Does the hon. gentleman go so far as to say that I have not the right to do that?

Hon. Mr. WATSON—The Senate has settled that already.

Hon. Mr. LANDRY—I am asking a question, but the hon. gentleman does not answer it. One thing is certain, I have the right to make these nominations, and the Senate has the right to accept or decline to accept my nominations. Section 24 of the Act provides that a promotion must be made on the recommendation of the deputy head to the head of the department. The whole policy of this Act is that the recommendation must originate with and come from the deputy head to the head of the department. The three first nominations as reported by the committee should be made under the same rule that the committee adopted in relation to Miss O'Brien, Mr. Larose and Mr. Garneau. I do not see why one rule should be adopted in one case and another rule in another. I would ask the hon. gentleman to accept this amendment of my hon. friend, the hon. senator for Grandville. To come here and say that we have arrived at an arrangement is not correct.

Hon. Mr. DANDURAND—No one has said that.

Hon. Mr. LANDRY—I know the hon. gentleman does not say it, but it is unfair to put in this report that it is based on the suggestion of the Speaker.

Hon. Mr. DANDURAND—After hearing the Speaker.

Hon. Mr. LANDRY—After hearing the suggestions made by His Honour the Speaker. What are the suggestions that I made? Not one of them has been accepted, except in reference to Mr. Garneau, and that was made in accordance with the resolutions passed by this House last year. I asked that Mr. Garneau's name be put on the list, and that is the only thing I got. I put before the committee a very important question, and it was set aside. By the Civil Service Amendment Act of 1908, all sessional messengers are done away with. I proposed, in order to comply with the law, that these messengers should obtain a certificate of qualification from the Civil Ser-

vice Commission, and that under the provisions of clause 22 a double class should be created by order in council distinguishing sessional employees from the permanent employees. If the Auditor General should choose to refuse to pay these employees, he would be perfectly right in doing so. I did not ask to increase the number of sessional messengers, but I wanted to fix their status. The hon. gentleman from Halifax does not approve of that. Has he something to say?

Hon. Mr. POWER—I do not feel anxious to say anything just now. I think the proposal is more for concord.

Hon. Mr. LANDRY—I asked that all the pages and all these nominations in the lower class, as defined by the law, should be determined by resolution of this House, and that is in the interest of the employees. I ask this House to accept the amendment made by my friend from Grandville (Hon. Mr. Choquette).

Hon. Mr. BOLDUC—We are looking for a solution, and I believe it is still possible to arrive at a solution of this vexatious problem. If I understand His Honour the Speaker correctly, he says that he is willing to accept the amendment moved by the hon. gentleman for Grandville. The only difference I see is that the recommendation must be made by His Honour the Speaker instead of the committee. Under all these circumstances I hope the hon. gentleman for Halifax, the chairman of the committee, will accept the amendment.

Hon. Mr. CLORAN—I am simply an observer of what is going on in the Senate in regard to this matter. It is deplorable that the Senate of Canada should be called upon, day after day, week after week, and month after month, to discuss minor matters of this kind.

Hon. Mr. DOMVILLE—They have nothing else to do.

Hon. Mr. CLORAN—I asked the hon. leader of the Government yesterday to give us something to do. I say it is humiliating to be discussing these matters of household economy. The Speaker of the House is not admired by all, and he does not command the confidence of all the senators.

Hon. Mr. DOMVILLE—I do not agree with the hon. gentleman in that.

Hon. Mr. CLORAN—The Hon. Speaker personifies true manliness and he has the courage of his convictions, and he is standing up for the rights of the Chair.

Hon. Mr. CHOQUETTE—Hear, hear.

Hon. Mr. CLORAN—He is standing for the rights of the Chair that dominates this House, and I respect and admire him for doing so. His Honour the Speaker often calls me down, and I admire him for doing so, because most of the time he is right, but I do not think it is dignified to be occupying time of this House in discussing the government of the House officials. They are controlled by the head of the House, and why should we interfere? Why the Committee on Internal Economy should always be at loggerheads with the Speaker is more than I can understand. I believe it is a question of animosity and jealousy that underlies the whole matter. I have no doubt His Honour the Speaker can nominate, but he cannot appoint a single official; all he has power to do is to recommend, and the Senate can accept or refuse to accept his nominations. That is the position His Honour the Speaker takes and what more can this House demand or expect?

There is the position the Hon. Speaker takes. What more can this hon. body demand or expect? The Hon. Speaker says it is not only his right but his duty to recommend certain persons for certain offices in the administration of the Senate, from kitchen to garret, and says "if my recommendation does not suit you throw it out and if it does suit you accept it." Now he is taking a sensible manly position with regard to this. We are not only dealing with the present Speaker, but the conclusions we reach in this debate will affect future Speakers and the rights and powers of the committee as against the law, and as against the Speaker of the day. We must provide against that. I hold the principle laid down by the Speaker is correct and sanctioned and confirmed by law, that he has the power to make the recommendation, leaving to the Senate the right to refuse or accept his recommendations. I hope we will take the sensible view of it and get rid of culinary politics which are degrading to the Senate. I believe the suggestion of the Speaker should be accepted.

Hon. Mr. CHOQUETTE—My object is in respect of the law and the rights of the Chair. I have nothing to do with the present Speaker.

Hon. Mr. DANIEL—As one of the mem bers of the Internal Economy Committee, I should like to disabuse the minds of members of this hon. body who think that the

Internal Economy Committee have any idea of attempting so to speak, to clip the wings of His Hon. the Speaker, or take any action His Honour might object to. So far as I am personally concerned, I am absolutely free from holding such an opinion.

At the last meeting of the Internal Economy Committee at which His Hon. the Speaker was present, I came to the conclusion that the whole thing was practically arranged so as to be satisfactory to His Hon. the Speaker and the Committee of Internal Economy. Therefore, I must say I am a little surprised to-day to find that His Honour objects to the report. I think the idea of the committee was to fall in with the suggestions of the Speaker in all that he suggested, and I was under the impression that we had incorporated those suggestions in the report now before the Senate. I take it that this House is supreme in this matter. The law lays down certain formalities in regard to certain things being done, but this House need not adopt them. If we adopted any other principle, it would mean the tail would wag the dog instead of the dog wagging the tail, to put it in coarse language. The House is the arbiter. What difference does it make to this House whether this matter comes in one special form or whether it does not, when both parties to the dispute, if there is any dispute, are agreed as to what ought to be done. If there is any disagreement I take it that His Honour does not agree with recommendation No. 5, that Byron Nicholson have added to his duties as clerk of English Journals, the duty of being curator of the reading room. That is about the only thing with which His Honour is not satisfied, as I understand it.

The SPEAKER—No. 2.

Hon. Mr. DANIEL—That Mr. Jones succeed Mr. Soutter. I understood in the committee that His Honour agreed to that.

The SPEAKER—With this difference, that I should propose the name and not be put in the position of having to accept it in the way in which it has been done.

Hon. Mr. DANIEL—I do not see any other course but to decide it in the usual way. Personally, I am satisfied to vote for either the amendment or the report, because I do not think it makes any practical difference. This House having appointed a committee to look after the internal economy of the Senate, should treat its report with the respect due to it, considering the time the committee takes and the trouble they have in finding out the best means of conducting the business of this Chamber and carrying it on. It is not very satisfactory to any committee to be placed at work that is very unpleasant, and then when it performs the unpleasant duty and makes its report, to have that report turned down without, perhaps, sufficient cause. I think His Honour the Speaker might be very well satisfied with the report. Certainly it gives the conclusion which I, as one of the committee, supposed had been arived at when His Honour was present and conferred with the committee a short time ago.

Hon. Mr. BEIQUE—I have a great deal of respect for the report of a committee of such importance as the Internal Economy Committee, and I have no doubt it carries out the intention of the committee, but as this may be taken as a precedent I desire to say a word or two on the question. I am not sufficiently informed to pass an opinion as to whether the Speaker is correct in his contention in the cases that have been mentioned by him, if it calls for a recommendation on his part. This depends upon the question of fact as to which there seems to be a difference of opinion. His Honour the Speaker said it would imply a promotion, and that statement was contested by the hon. gentleman from Portage la Prairie, but as I do not know the facts, I am unable to form an opinion on that matter. There is a question on which I am able to form an opinion, and that is as to the concern which we should all have, not only for the reports of committees, but also for the dignity of the Chair. I do not quite agree with His Honour the Speaker as to the extent of his functions. I think his contention is—at least I so understood it on previous occasions—that no nomination can be made except on his recommendation. I may be right or I may be wrong, but my impression is—and I agree with the Speaker as to that—that the initiative in all cases belongs to His Honour the Speaker, and my contention is, and has been, that the House need not necessarily agree with the recommendation of the Speaker, that when a recommendation is made to appoint a certain person, the House may disagree as to that recommendation and appoint another person.

Hon. Mr. DANDURAND—I do not believe His Honour the Speaker agrees with that statement.

The SPEAKER—The hon. gentleman from De Salaberry does not agree with me.

Hon. Mr. BEIQUE—However, I say en passant that it does not really concern the question. As far as this report is concerned, I agree with the Speaker that he has the initiative, and he should have the initiative as to the recommendation he should make, and I would go further than the amendment. I do not believe it was done intentionally by the committee, but I do not think that it is proper to use such a form as the one which has been adopted. Paragraph 7 states that His Honour the Speaker should be requested to nominate So and So. I think we should have more consideration for the Chair. The Chair has the initiative and the Chair should be invited to make his recommendation as to the occupant of such and such a position, and not be ordered to recommend such and such a person. I would suppose that the Speaker should communicate with the committee, learn the views of the committee, and that they would agree, but then if the Speaker, after being invited to make his recommendation, does not make a recommendation which meets with the approval of the committee, or with the approval of this hon. House, I would feel that this hon. House is perfectly at liberty to substitute for the person who has been suggested by the Speaker, such person as the House may deem proper, but I earnestly call the attention of the committee to the fact that another form should be adopted. Instead of requesting the Speaker to nominate so and so, the hon. Speaker should be requested to recommend a person to occupy such and such a position. I think the Chair is entitled to that consideration. We should have respect for the dignity of the Chair, which is a high position.

Hon. Mr. WATSON—Might I inform the hon. gentleman that the hon. Speaker was present in the committee when those different items, 7, 8 and 9, were agreed to.

Hon. Mr. BEIQUE—I merely call attention to the form of the report. If this form is adopted to-day, it means that it may be adopted for all time to come, and to my mind it is not the proper way to invite the Speaker to make his recommendation. He should not be dictated to and restricted as he has been, and told to nominate such and such a person.

Hon. Mr. BELCOURT—May I just say one word in the hope that perhaps it may help the House in coming to an understanding of this matter which will prevent these eternal discussions. I take it there can be no doubt whatever that the staff of this House is placed under the Speaker. He is the guardian of the honour of this House, and the head of the staff who are here called upon to be servants of the Senate. I do not think, as far as I can follow the discussion in the House, that any one is of the opinion that either an appointment or a promotion—and I use the words advisedly—in this House is not one that must originate with the Speaker. If that is so, we have here a report which is manifestly not based on any recommendation of the Speaker.

Hon. Mr. POWER—Excuse me.

Hon. Mr. BELCOURT—I am going to show that, and I think the hon. member will agree with me. I take it that the action of the Committee on Internal Economy in dealing with this report was the result of a motion made in this House sometime in the early part of the session, and if I recollect the particular motion, it was this: That such matters as are not committed by law to the Speaker may be inquired into and reported upon by the Committee on Internal Economy. I think that is substantially the effect of the resolution. I hope hon. gentlemen are paying attention to my words—"Such matters as are not committed by law to the Speaker may be inquired into and reported on by the committee." What are the matters committed by law to the Speaker? Appointment and promotion in any part of the staff of the Senate.

Hon. Mr. THOMPSON—No, no.

Hon. Mr. BELCOURT—I am not going to bother the House with reading the law. My hon. friend knows the law as well as I do. I read it and gave very particular attention to it last night. In the year 1912 there was a classification of the officers of this House adopted by the Chamber.

Hon. Mr. THOMPSON—It was not made according to the Act.

Hon. Mr. BELCOURT—It was made by this House and accepted, and it has been binding ever since. Until that is changed we are bound by it. My hon. friend from Middleton wishes me to read the provisions which govern this matter. Subsection C of section 2 reads as follows:

(c) "Head of a department," in addition to the ministers mentioned in paragraph (a) of section 2 of the Civil Service Act, includes the Speakers of both Houses.

Subsection 2 of section 3 reads as follows:

So much of this Act and of the Civil Service Act as relates to appointment, classification, salaries and promotion shall apply to the permanent officers, clerks and employees of both Houses of Parliament and to the Library of Parliament.

Subsection 8 reads as follows:

As soon as practicable after the coming into force of the Act, the head of each department shall cause the organization of his department to be determined and defined by Order in Council, due regard being had to the status of each officer or clerk as the case may be.

The Order in Council shall give the names of the several branches of the department, with the number and character of the offices, clerkships and other positions in each, and the duties, titles and salaries thereafter to pertain thereto.

After being so determined and defined—

And we determined and defined the matter in 1912. The clause proceeds:

—the organization of a department shall not be changed except by an Order in Council.

That is it should not be changed except by an order of the Senate. What we did in 1912 is what the Governor in Council does on the report of a deputy head of a department concurred in by the head. In other words, the Governor in Council means the Senate, so far as the employees of this House are concerned. If we look at section 45 we find the following:

'Wherever under sections 5, 8, 10 (paragraph (b) of subsection 1) 21, 22, 23, 24, 26 (subsection 2) 32, 33, 36, 37 (subsection 4) of this Act or under the Civil Service Act, any action is authorized or directed to be taken by the Governor in Council, or by Order in Council, such action, with respect to the officers, clerks, and employees of the House of Commons or the Senate, shall be taken by the House of Commons or the Senate, as the case may be, by resolution and with respect to the officers, clerks and employees of the Library of Parliament, and to such other officers, clerks, and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by the two Houses at the next ensuing session.

It is manifestly clear under the law that, so far as our employees are concerned, the Senate of Canada is the Governor in Council and the Speaker of the House is the head of the department of which the Clerk is the deputy head. Under the law no appointment, no classification, and no promotion of any kind can be made by the Governor in Council unless it is upon the recommendation of the deputy head, concurred in by the head of the department. I say that any appointment to this House can only be made by the Senate in the manner I have just described. These are the matters which are committed by law to the Speaker, and the difficulty has arisen because the Committee on Internal Economy did not act within the wording of this resolution adopted by this House on the 3rd of March of this year, and instead of dealing with matters which are not committed to the Speaker by law, they have themselves dealt with matters so by law committed to the Speaker. They have not confined themselves to dealing with matters which are as the resolution called for, referred by law to the Speaker. I am not going to discuss the report itself. I do not care tuppence whether so and so is promoted or appointed, but I do care, as the hon. gentleman from De Salaberry has said, for the honour of this House and the honour of the hon. gentleman who for the time being, presides as Speaker, and if we are going to have these unseemly rows every year. I have got on my feet to discuss reports covering charwomen and messengers for the last time. I have no intention now to discuss the appointments; my object is to try and have the members of this House look at this thing in the only way in which it may be regarded. There has been a clear invasion of the rights of the Speaker, and the Speaker made a mistake in going before the committee to discuss the matter the other day. I do not think he has any business to go there, and when my hon. friend who so ably leads this House made the suggestion to the Speaker that there should be a compromise, and that this matter should be settled amicably, without breaking any secret I may say that after the House arose, I went with the hon. gentleman from Hastings to the Speaker and suggested that he had better make recommendations and accept the proposal made by the hon. leader, and have peace and harmony. The Speaker took our suggestion kindly, but I did not think he was going before the committee. He should not have gone before the committee on his knees and ask for a certain thing. I thought he would do what the law says he is required to do—make recommendations to this House, and not to the committee. He is not called upon to make recommendations to the committee. The House may completely ignore his recommendations. They may do something entirely different, and unless that practice is adhered to in every instance we are going to have these unseemly rows, and we are

going to have members of committees, who have some particular reason of their own for doing it, taking the opportunity of hitting the Speaker, with whom they may not be on friendly terms. If I am right—and I have not the slightest doubt that I am—what should be done for the future is that the Speaker, whenever there is a reason for a change or an appointment in this House, should make a recommendation to the Senate in the manner defined by law. He should have the Clerk of the House prepare a report, concur in it, and submit it to the House, and the House can deal with it as it deals with all the reports submitted for its consideration. It may concur in it, or refer it to the Committee on Internal Economy. In almost every case the recommendations of the Speaker will be referred to the Committee on Internal Economy, and that committee should deal with it as the law prescribes, as being a recommendation from the Speaker, and not as done in this report. The form of the report is wrong. They should report that, having taken into consideration the recommendations of his hon. the Speaker the committee reports so-and-so, and then it is for the House to deal with it. The matter is perfectly clear and I defy any hon. gentleman to look into the law and come to any different conclusion. Unless the right practice is adhered to we are going to have these unseemly rows. I have done my best on many occasions to prevent them. If the members of the House have not the good sense to see that the dignity of the House is not preserved but on the contrary seriously menaced by the course which has been pursued, I wash my hands of the whole matter.

Hon. Mr. THOMPSON—When the hon. gentleman reads the law to me and states that this gives to the Speaker of the Senate only the right to make recommendations, I say he has not properly read the law. He asks me to accept his interpretation of the law. I refer him to section 13, which reads as follows:

> Except as herein otherwise provided, appointment to positions in the inside service under that of deputy head shall be by competitive examination, which shall be of such a nature as will determine the qualifications of candidates for the particular position to which they are to be appointed by the Governor in Council.

Hon. Mr. BELCOURT—That is not the question at all.

Hon. Mr. THOMPSON—The hon. gentleman stated to this House that under the Act every nomination should originate with the Clerk, and come through the Speaker to this House. Let us turn now to section 18, which reads as follows:

> From the said list the commission, on the application of the deputy head, with the approval of the head, of any department, shall supply the required clerks, whether for permanent or temporary duty.

The only exception in this Act which gives to the Speaker the right of nomination is section 22, which reads as follows:

> Appointments to the position of messenger, porter, sorter and packer, and to such other positions in the lower grades as are determined by the Governor in Council, may be made by the Governor in Council upon the recommendation of the head of the department based on the report in writing of the deputy head, and accompanied by a certificate of qualification from the commission, to be given with or without examination as is determined by the regulations of the commission that the person applying for the appointment possesses the requisite knowledge and ability and is duly qualified as to age, health, character and habits.

That section authorizes the Speaker to make a recommendation to this House.

Hon. Mr. BELCOURT—That is another question altogether. Section 13 deals with the qualifications and nothing else.

Hon. Mr. THOMPSON—Read 18.

Hon. Mr. BELCOURT—There are none so blind as those who do not want to see.

Hon. Mr. THOMPSON—Section 18 reads as follows:

> From the said list the commission, on the application of the deputy head, with the approval of the head, of any department, shall supply the required clerks, whether for permanent or temporary duty.

Hon. Mr. BELCOURT—That is another question altogether.

Hon. Mr. THOMPSON—There is no other question involved in this Act. I have no feeling against the Speaker. My hon. friend spoke as though some of us were anxious to do something to injure the Speaker. I have just as much respect for the position the Speaker occupies as any hon. member, but I have still more respect for the independence of the Parliament of Canada, and when you make this Parliament a Reichstag, and let one man govern it, then you should throw the mace into the scrap heap. If the Senate should nominate any man for a position and it should be adopted, there is no court to which you can appeal. You cannot change the judgment of Parliament. They talk

about the Auditor General. We do not go to the Auditor General. The hon. gentleman should look into the constitution of the Senate of Canada. Every hon. senator occupies a position equal in every respect to every other member, whether he be Speaker or a member of the Senate. Section 21 has been referred to by the Speaker as the section, showing he has a right to make the nomination. Section 21 reads as follows:

> If the deputy head reports that the knowledge and ability requisite for the position are wholly or in part professional, technical or otherwise peculiar, the Governor in Council, upon the recommendation of the head of the department based on the report in writing of the deputy head, may appoint a person to the position without competitive examination and without reference to the age limit, provided the said person obtains from the commission a certificate, to be given with or without examination, as is determined by the regulations of the commission, that he possesses the requisite knowledge and ability and is duly qualified as to health, character and habits.

The commission does not give a certificate at the time the Governor-in-Council may appoint a person, and I say that the only section in this Act which gives the Speaker a right to make a nomination is section 22, which refers to sorters and packers, etc.

The SPEAKER—That section says that it must be done on the report of the Speaker.

Hon. Mr. THOMPSON—I admit the Speaker has the right to say to the Senate "There is a vacancy on the Senate staff," but after receiving the report that it is vacant the Governor-in-Council may appoint a person to that position. I do not propose to go any further in respect to this matter. I am willing that the hon. gentlemen who are members of the legal profession should carefully look into the law on this point; but I am sure they cannot find within four corners of the Act anything giving the Speaker the right to recommend appointments except in section 22.

Hon. Mr. BELCOURT—I did not speak of appointments.

Hon. Mr. THOMPSON—I say recommendation. If there is another section of the Act, except 22, which requires the Speaker and the Clerk to recommend appointments, I should like to see it. I have discussed this question with the Auditor General, and I am free to state that he is in accord with my view of the Act. There is only one other thing that I desire to say: when the Speaker met with the committee I thought we had reached a definite understanding, and I am very sorry that the Speaker has not thought proper to accept the report. Personally I have no feeling in this matter. I believe it is the duty of the House to protect the interest of the Senate, and when 25 members who fairly represent the House consider a proposition, I do not think it is fair to say that they are interfering with the rights of the Speaker.

Hon. Mr. POWER—I am not very easily surprised, but I must confess that the amendment of the hon. gentleman from Grandville (Hon. Mr. Choquette) has surprised me. That amendment is that we do not accept paragraph 2 of the report, that Mr. C. H. Jones succeed Mr. Soutter as Clerk of the Minutes. That is not a question of appointment to office, or promotion. Mr. Jones is one of the staff of the Senate at the present time, and we simply recommend that he take over certain work. That does not require any nomination from His Honour the Speaker or recommendation from the Clerk of the Senate. We do not interfere with Mr. Jones' status as an officer. Then the report recommends that Mr. Byron Nicholson discharge the duties of curator of the reading room. If anything can be a matter of internal economy of the House that is one. We do not alter the status of Mr. Nicholson, or change his salary. We simply say, as a matter of convenience, that he shall discharge certain duties. The same thing applies to the other recommendations in the report. We do not change the class of these employees. The truth is that these are things which, under the orders that the Senate made some years ago, should be done by the Clerk. I am surprised that this amendment should have been introduced. I do not know that the hon. senator from Ottawa was here when the leader of the Government made an explanation. The leader of the Government was anxious, as any leader of a House like this should be, that the dignity of the House should be preserved, and that there should be harmony between His Honour the Speaker and the Senate. A conference was suggested. I do not know whether it was His Honour the Speaker, or the leader of the Government, who suggested the conference. The committee and His Honour the Speaker met; and no one can say that the committee did not treat His Honour the Speaker with the utmost respect and polite-

ness. His Honour the Speaker made certain recommendations. He recommended that Mr. A. L. Garneau be promoted to subdivision A of the second division; also that Miss Kate O'Brien be appointed to the position of junior clerk, and that Mr. Charles Larose be appointed to the position of door-keeper.

Hon. Mr. LANDRY—Does the hon. gentleman contend that I made these recommendations?

Hon. Mr. POWER—The hon. gentleman recommended Mr. Garneau for promotion, and that Mr. Charles H. Larose be door-keeper. The committee accepted all these suggestions, and in order to prevent further difficulties and friction, the committee asked that His Honour the Speaker be requested to nominate these people whom he had already nominated to the committee. Surely there is nothing unreasonable in that.

Hon. Mr. CHOQUETTE—Why not put the others in with it.

Hon. Mr. POWER—There is no promotion given to Mr. Jones.

Hon. Mr. CHOQUETTE—He is appointed to a place that he was not in before.

Hon. Mr. POWER—The work is there to be done, and if we cannot see that it is performed the Senate would have no control over its own interior economy. This amendment would simply leave the Senate without power of controlling its staff. Another proposition which the committee did not entertain was that there should be two classes of messengers established, a permanent class and a temporary class, and the temporary messengers were to pass an examination before the Civil Service Commission, the same as first-class clerks. How could the Clerk, or the Chairman of the committee, or anybody else employ a clerk temporarily for a day or two if that procedure had to be gone through? They have scores of temporary sessional officials in the House of Commons, and it has never been held that the Civil Service Act applies to them.

I do not think any senator of this House can more sincerely express his regret at the divisions that has taken place over the recommendations of this committee than your humble servant. The committee never had any desire to infringe on the rights, duties and privileges of His Honour the Speaker. We do not say that we recommend So-and-so be appointed, but we recommend that His Honour the Speaker be requested to nominate, and I can hardly conceive of anything more courteous than that. There is one other remark that I might as well make before I sit down, and that is in respect to the expression of opinion of the hon. gentleman from Ottawa (Hon. Mr. Belcourt). I agree with the hon. gentleman that these discussions over the reports of the Internal Economy Committee are undesirable and not creditable to the Senate. Possibly it would be better if they took place with closed doors, if we must have them. The hon. gentleman must remember that, I think, in every instance this session these discussions have arisen from unreasonable amendments moved to the report of the committee, and why should the committee be blamed for that? The committee are not responsible for these amendments. The committee have done their best on all occasions, and their report should be treated by this House in a business way.

Hon. Mr. DANDURAND—Does the hon. gentleman claim that under the Civil Service Act if a matter reached the Senate without the recommendation of the Clerk and His Honour the Speaker, the committee could assume the right to recommend superannuation?

Hon. Mr. POWER—Yes, you cannot find anything in the law which gives His Honour the Speaker power to deal with superannuation. That is a matter for the Treasury Board.

Hon. Mr. LOUGHEED—I desire to move an amendment to this report before any division is had upon it. With reference to clause 1, in which we make provision for the superannuation of Mr. Soutter, I have had occasion to inquire into his financial condition to-day, and I have satisfied myself that a very great hardship would result from a superannuation of Mr. Soutter from the month of June next. He has a large family and certain obligations, and I move that June be struck out and that next January be substituted in lieu thereof.

Hon. Mr. POWER—There is no objection to that.

The SPEAKER—Is that an amendment to the other amendment?

Hon. Mr. DANDURAND—Perhaps the hon. gentleman could wait until the first amendment is disposed of and then bring in his amendment. I am quite sure this is not a new matter to senators of the Senate. I have taken part in similar discus-

sions, but there is one feature of this discussion that I should like to emphasize. Technically I am disposed to read the Civil Service Act as the hon. gentleman from De Salaberry reads it. Technically I believe that most of the subjects which are dealt with by the Committee on Internal Economy should be initiated on the recommendation of the Clerk of this House to His Honour the Speaker yet I see considerable difference between the status of the Senate and that of the Governor in Council. It seems to me that His Hon. the Speaker should recognize the considerable difference that exists between the council and the Senate. This law was primarily made to cover the work of the department, and it was enacted that anything pertaining to the administration of the department and which bore on its organization such as appointments, promotions or superannuations, should be brought to the attention of the head of the department by the deputy head, under the form of a report, which was carried to the Cabinet or Council. How is that council formed? It is formed of the heads of all the departments. It is quite right that everything should emanate in each department from the deputy head to the head of the department, and from the head of the department to the Council. It is right also that these recommendations should have the full weight of the approval of the deputy head, and of the head of the department, in order that they should be dealt with by the other ministers forming the council. I quite realize that the council would be slow in turning down any such recommendation made for the well-being of the administration of any department. The other heads of departments must be largely, if not completely, governed by the recommendations of their colleague, who better know the needs of his own department. When His Hon. the Speaker brings a matter to the Senate the situation is very different, because he comes to his partners and colleagues, his peers. He is submitting to them a matter with which they are as familiar as he is. Up to five or six years ago, it was plainly stated in our rules that His Hon. the Speaker had no more power in this Chamber than any other member of the Senate. He could not even, of his own motion, call a member to order unless another colleague rose in his seat and asked that order be maintained. The administration of the Interior Economy of the Senate was delegated to a committee, and I want to call the attention of His Hon. the Speaker to the fact that technically the Senate is supposed to be governed according to the rules which govern the administration of the departments, but that in reality our situation is totally different from that of other departments. His Hon. the Speaker quotes the Act to show everything should emanate from the Clerk and from himself. Technically I believe His Hon. the Speaker is right, but I would suggest that His Hon. the Speaker henceforth should recognize the fact that the real authority resides in the Senate.

Hon.Mr. BELCOURT—Nobody questions that.

Hon. Mr. DANDURAND—I would go one step further than that, and invite any committee of this House, more especially the Committee on Internal Economy, to make as many reports as they please on the good order and better Administration of this Chamber. Of course His Honor the Speaker might say that, looking at the Act and taking the wording of the Act, nothing should reach the committee except through the Speaker, but I would invite his honor to remember that by long tradition the Senate has dealt with all these matters through the Committee on Internal Economy, and that some leeway should be allowed that committee according to the old traditions of the Senate.

Hon. Mr. ROSS (Middleton)—I move the adjournment of the debate until to-morrow.

The SPEAKER—I think the contents have it.

Hon. Mr. ROSS (Middleton)—After that expression of opinion I withdraw the motion.

Hon. Mr. KERR—An opportunity should be given the hon. gentleman to speak to the motion if he so desires.

Hon. Mr. BEIQUE—I should like to hear the opinion of the hon. member from Middleton (Ross). I undertsand he desires to look up the law on the question, and be in a position to give the House the benefit of his opinion.

Hon. Mr. CLORAN—I am in favour of the motion to adjourn the debate because it will give me a chance to say something more.

Hon. Mr. THOMPSON—I understood the mover withdrew his motion.

The motion was agreed to.

REPRESENTATION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (106), An Act to amend the Representation Act, 1914.

He said: This is a Bill to amend certain clerical errors which have been found in the Representation Act of 1914. They are not of the essence of the provision with which they deal, but are very largely technical or clerical.

The motion was agreed to and the Bill was read the second time.

ADULTERATION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (114), An Act to amend the Adulteration Act.

He said: In the first session, 1914, we made certain amendments to the Adulteration Act, dealing chiefly with the manufacture of maple sugar, with a view of preventing adulteration of that article. It has been found that in several respects the legislation has not answered the purpose for which it was passed. This Bill is to improve the legislation, and to further carry out the objects in view. It introduces no new principle into the law, but is calculated to more satisfactorily enforce the provisions of the Bill.

Hon. Mr. BOSTOCK—I presume this Bill is on the line suggested by producers of maple sugar. Considerable alterations have been made in the Bill, and I think in its present form it is in much better shape than it was when first introduced. I presume my hon. friend will be able to give further information when we go into committee.

The motion was agreed to and the Bill was read the second time.

INLAND REVENUE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (116), An Act to amend the Inland Revenue Act.

He said: The object of this Bill is to amend the Inland Revenue Act and to incorporate therein a precisely similar clause to that which are found in the Customs Act and making provision for the appointment of temporary or acting officers of excise. The principle which is incorporated in the Customs Act is one which I think with advantage may be incorporated into the Inland Revenue Act. The work which is done by that department is very similar to that of the Customs and it has been found necessary for the purposes of the Civil Service Act that this legislation should pass.

The motion was agreed to, and the Bill was read the second time.

ONTARIO BILINGUAL SCHOOL QUESTION.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion moved by the Hon. Mr. David, seconded by the Hon. Mr. McHugh:

This House, without derogating from the principle of provincial autonomy, deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bilingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation, and with the spirit of our constitution; and the motion of the Hon. Mr. Bolduc, in amendment, seconded by the Hon. Mr. Pope:

That this House, without derogating from the principle of provincial autonomy or suggesting in what manner any province should exercise its powers in matters of education, deems it proper to regret the existence in any province of Canada of divisions in connection with bilingual school or other national or religious questions, and believes that it is in the interest of the Dominion at large that all such questions should always be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, and in accordance with the letter and spirit of our constitution. And also, the motion of the Hon. Mr. Power, in amendment to the amendment, seconded by the Hon. Mr. Derbyshire:

That the said amendment be amended by striking out all the words therein after the words "this House" and substituting therefor the following: "while it believes it is in the interest of the Dominion at large that all questions as to which divisions exist among the people of any province should be considered on fair and patriotic lines and settled in such a way as to promote peace and harmony between the different racial and religious elements of the population, is of opinion that, inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces, any suggestion volunteered by

the Senate as to the manner in which any province should exercise its power would be contrary to the spirit of the Constitution and calculated to intensify and extend any divisions of feeling that now exist.

Hon. Mr. DANIEL—Hon. gentlemen it is so near six o'clock that I would move that the debate on this motion be adjourned until to-morrow.

Hon. Mr. BELCOURT: Before the motion is put I should like to have an opportunity of saying a few words in reference to this matter. It will only take me a few moments. If I have not taken any part in this debate, and if I do not propose to do so, it is not because I feel that I have not a right, and it is not because I do not feel that I have what is more, a duty. Perhaps there is no member of this House who has given this subject deeper thought and consideration, and if I may say so, a more serious and earnest and unprejudiced consideration of the subject with a view of arriving at the right and just conclusion, than I have. For many years I have had to do with this subject, professionally and otherwise. As a public man I have given the matter the very best attention. I feel that the debate might have been more complete if I had been able to give the House my views, because of the long thought and consideration that I have given to this particular subject. Perhaps it devolves upon me more than any other member of this House to express my views upon this subject, representing as I do the French speaking minority of Ontario, which is very much interested and deeply concerned with this question. I suppose every hon. gentleman will agree with me when I say that, yet I do not propose to take any part in this discussion. I came to that decision at the very outset. I was in Quebec on legal business at the time and saw the notice of resolution in the paper. I had not been consulted, but the moment I read the resolution I concluded that, for reasons which I will state in a moment, it was inadvisable for me to take any part in the debate in this House. I have adhered to that, and I propose to adhere to it now, not that I have not on several occasions been very strongly tempted to break my promise to myself. My name has been introduced into the debate several times, and statements made by me outside of this House have been quoted. An attempt has been made by hon. gentlemen to contradict things that I said in the past by things that I have said more recently before the courts of this province. Several times my meaning has been misconstrued or misunderstood. The temptation to speak on an occasion of that kind, I am sure every hon. gentleman will agree with me is very strong, yet I have not succumbed to the temptation. My object in rising was to say what I have said, and to add what I am about to say. The reason I am not going to take part in the debate, notwithstanding that I have as good a right as any one and a stronger duty than any one to do so, is because I have been acting as counsel for the people who are immediately concerned in litigation now before the courts. I think it would be against professional dignity and professional honour, as I understand it, for counsel engaged before the courts to rehearse his brief, as it were, in the Senate, or in the House of Commons. The interests of my clients demand that I should not do anything that would in the slightest degree jeopardize or prejudice their case before the courts. Having said so much, I hope the House will pardon me for obtruding purely personal views and motives on the House.

Hon. Mr. DAVID—Did I understand the hon. gentleman to say that he had no knowledge of my motion before he read of it in the paper? It has been affirmed that there was a conspiracy between the hon. gentleman and myself.

Hon. Mr. BELCOURT—I can answer that question with the greatest candour and assure the House that I had not the slightest intimation that my hon. friend was going to move the resolution, much less see the resolution, before I saw it in the paper. I read the notice of motion in the Quebec Chronicle one morning when I was in Quebec on professional business, and that was the first I knew that such a resolution was going to be moved.

The motion to adjourn the debate was agreed to.

The Senate adjourned until 11 a.m. tomorrow.

THE SENATE.

Thursday, April 8, 1915.

The SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

INTERCOLONIAL RAILWAY EMPLOYEES.

INQUIRY DROPPED.

The Order of the Day being called:
Hon. Mr. McSWEENEY inquired:

1. The number of men employed on the Intercolonial railway up to February 28, 1915?
2. The number dismissed during the eleven months ending February, 1915?
3. The number employed for the same time?

Hon. Mr. LOUGHEED—In the absence of the hon. gentleman from Moncton, I suggest that this question be striken from the Order Paper. It is very indefinite and cannot be answered. We have already written the hon. gentleman in regard to the matter.

The inquiry was dropped from the Order Paper.

SUPREME COURT ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 121, An Act to amend the Supreme Court Act.

He said: The object of this Bill is to give jurisdiction to the Supreme Court of Canada to hear appeals from the judgment of any provincial court in any proceeding under any provincial controverted elections Act, whereby such an appeal would be given. At the present time one of the provinces at least has asked that jurisdiction, or authority, be given to the Supreme Court of Canada to hear such appeals from that province. This measure will place upon the statute book machinery whereby, if any province of the Dominion desires that an appeal in controverted elections should lie to the Supreme Court of Canada, that appeal can be made.

Hon. Mr. CLORAN—Does the hon. leader of the Government think this a wise provision to place on the statute book of the Dominion. To my mind the best and most competent authority to settle provincial matters is the court of appeal of the province. What have federal judges to do with provincial matters, unless a question of ultra vires of the constitution is raised? I think this is unwise legislation. The only persons competent and able to settle these matters of controverted elections are the people within the provinces, and we have the ordinary Superior Court, the Court of Revision, and a Supreme Court, as we call it, in Quebec, the Court of Queens Bench, where there are seven judges, the most able men that the province can provide for the administration of justice. When they have rendered a decision ought not that decision be final, instead of allowing an appeal to the Supreme Court of Canada, which court is composed of men who know nothing of provincial Acts, unless they study and analyse them, and find out what is in them applicable to the special case before them. You are putting on the Supreme Court judges a duty which they should not be called upon to perform. We have a sufficient number of courts in each province to settle these local matters of controverted elections. If a point is raised which involves the constitutionality of any Act of a province, then that should be submitted to the Supreme Court and even to the Privy Council, but I do not think the Government is wise in putting a provision of this kind on the federal statute books.

Hon. Mr. BOSTOCK—I was surprised that the leader of the Government did not make more extended remarks to justify the action of the Government in regard to this Bill. The hon. gentleman seems to have forgotten that in the session of of 1913, and again in the session of 1914, the Senate discussed a motion moved by my hon. friend the senator for Mille Iles (Hon. Mr. David) dealing with this very question. At the time of that discussion the Senate was very strongly opposed to this question of extending appeals. The desire on the part of the members of the Senate was that appeals should be lessened rather than increased—that the people of the country should be put to less expense in obtaining judicial decisions, rather than put to greater expense. When that question was discussed in 1913, a motion was carried in this House and a committee appointed to deal with the question. The question was again brought up in 1914, and the same motion was carried and a similar committee appointed. That committee did very good work in securing information in connection with this matter. My hon. friend from Ottawa (Hon. Mr. Belcourt) in his discussion at that time pointed out that Parliament could only deal with this question of appeals to the Supreme Court. I notice that in the province of Manitoba, to which my hon. friend has referred, these questions are brought before the trial judge and later can be brought before the Court of King's Bench, and afterwards before the Supreme Court of that province. In that province they already have two appeals. I think the Senate is hardly justified in granting permission to make a further appeal to the

Supreme Court of Canada. This is a matter dealing entirely with provincial questions in which the province itself is interested, and in which the Federal Supreme Court has not nearly the same interest or knowledge to deal with the matter. The other House of this Parliament is, at the present moment, dealing with Bill 109, which has been introduced for the very purpose of facilitating and doing away with the expense of deciding questions that come up in this way, and also for the purpose of preventing delay in getting a decision. I might possibly be permitted to quote the words used by the Minister of Justice only yesterday in the House of Commons in discussing this Bill:

> "The other provisions of this Bill (109) do not deprive the respondent of the means of defence available to him under the present law, a means of defence which we think he ought to be deprived of because they lead to great delay, which delay ultimately operates to defeat the operation of the law."

These words of the Hon. Minister of Justice are very applicable to the legislation now proposed. It is legislation that should not be granted at the present time. This Bill is brought in towards the end of the session, when we have very little time to discuss or thoroughly consider it. A little delay on a question of this kind would not do any harm and I, therefore, move that all the words after "now" be struck out and the words "this day six months" be added in lieu thereof.

Hon. Mr. LOUGHEED—My hon. friend has entirely misconceived the discussion which took place in the Senate in the session of 1913 and the session of 1914. What my hon. friend from Mille Iles (Hon. Mr. David) had in view was to restrict appeals to the Privy Council, not to the Supreme Court of Canada. The object of my hon. friend from Mille Iles' motion and discussion was the reverse of what the hon. gentleman has stated. So far as the Supreme Court of Canada is concerned, in the exercise of its jurisdiction it deals almost entirely with provincial matters, that is, with contracts and with civil matters affecting the provinces. You cannot lay down a principle that the Supreme Court of Canada must only exercise its jurisdiction in federal matters. That court was never designed for such a purpose. It was designed as a Court of Appeal from the different provincial courts of Canada, and finds its duty almost entirely within that particular realm. To lay down the principle which my hon. friend has laid down would be practically to extinguish the jurisdiction of the Supreme Court of Canada. It seems to me not at all unreasonable that the Supreme Court of Canada, removed as it is, and must be, from the provincial prejudices which invariably grow out of the adjudication and settlement of provincial election disputes, is pre-eminently the forum in which finality should be given to litigation of this kind. There are few provincial courts that are entirely free from the prejudices which must invariably surround them, owing to the atmosphere arising out of provincial elections in which they exercise their jurisdiction, and if a province of the Dominion, in determining the important controversies arising out of provincial elections, can remove those controversies to the Supreme Court of Canada—a court which should be free from all the prejudices and all the sympathies which must necessarily handicap to a very large extent the provincial courts—it is very desirable in the public interest that it should be done. If any province in the Dominion of Canada should exercise its legislative powers in asking that the highest federal court in Canada should be the channel through which the decision in matters of this kind should go, why should not the views of that province prevail in permitting it to avail itself of the machinery of this court which has been established for kindred purposes.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—How many provinces of the Dominion through their official machinery, government or legislature, or otherwise, have asked for this legislation?

Hon. Mr. LOUGHEED—The province of Manitoba has asked for it, and I understand other provinces have indicated a desire, but not through legislation, that this should be done. Up to the present time, owing to the Supreme Court of Canada not having jurisdiction to deal with provincial election cases, the provinces of Canada have not taken any steps towards passing legislation expressive of their wishes in this particular direction. It remained for the province of Manitoba to take the first step in that direction. Some province or other, whether it be Manitoba or any other province, must necessarily take the initiative in launching out upon that wider sphere which the province of Manitoba has done in invoking the Dominion Parliament to give jurisdiction to the Supreme Court to deal with questions of this kind. The motion moved by my hon. friend is

reactionary. The whole trend of legislation at the present time is to open up the higher courts to appeals from the provincial courts, and if we have a court equipped, such as the Supreme Court of Canada is, to deal with all questions which practically arise throughout the Dominion; there is no reason whatever why that court should not have jurisdiction to deal with the decision of cases which heretofore have given more or less dissatisfaction in the different provinces.

Hon. Mr. BEIQUE—I would like to ask what construction the hon. gentleman places on this Bill. Would it apply to pending cases?

Hon. Mr. WATSON—Sure.

Hon. Mr. CLORAN—That is the secret of the whole business. It gives the right of appeal in pending cases.

Hon. Mr. DANDURAND—My hon. friend is the second member of the Cabinet who has expressed an opinion upon this legislation. He apparently differs for the second time with the Minister of Justice. He differed from him on some amendments he submitted to this House on the Criminal Code Amendment Bill, and now he differs with him as to this legislation, because this Bill, when before the House of Commons, was discussed by I think three members of that House only, the Minister of Justice, the leader of the Opposition and Mr. Bennett, the member from Calgary. The three of them agreed in condemning the principle underlying this Bill.

Hon. Mr. DANIEL—At what page of the Hansard will that be found?

Hon. Mr. DANDURAND—Page 2132. After the Minister of Justice had explained the purport of the Bill, the leader of the Opposition said:—

I have no intention of opposing this legislation; but in my opinion it is rather dangerous. It was only yesterday that we had a long discussion upon the difficulty of getting a final decision in controverted election cases, and we are this session in this Parliament passing new legislation to expedite as much as possible the hearing and determining of such cases under the Dominion Controverted Elections Act. If I have a fault to find with our judicial system, it is that in the province to which my hon. friend and I belong there is an appeal in such cases to the Supreme Court of Canada. In Manitoba there is an appeal from the trial judge to the Court of King's Bench sitting as a court of review, and another appeal from that court to the Court of Appeal. Under this legislation there would be still another appeal; so that I think we are not conferring a favour upon the province of Manitoba by passing this legislation. I understand that it is the wish of the legislature of Manitoba; but, even so, I would not be disposed to mix up federal matters with provincial matters. If I had an amendment to move in this legislation, I would move that provincial laws should be administered by provincial courts, and federal laws by federal courts. My hon. friend has, however, thought differently, and I merely wish to call the attention to the point I have mentioned, which I believe he will find worthy of consideration.

Then the Minister of Justice spoke as follows:—

In so far as the desirability of creating such an appeal is concerned, I share in very large measures, if not entirely, the views which the right hon. gentleman has just expressed. If it were a matter of considering the wish of the legislature of the province of Manitoba in this regard, I would probably concur in the view that he has expressed, and I think there is also very much to be said for the view that we should have these matters speedily settled. The reason which leads me to propose this legislation is that it seems to me that questions concerning the composition of the legislature of a province are in a peculiar manner questions which that legislature itself should determine, and it is therefore a fair thing that, when the legislature of a province has itself determined that it is desirable that upon questions concerning controverted elections there should be an appeal to the Supreme Court of Canada, we should make it possible for that to be carried out. In fact, the motive that leads me to move this legislation is the recognition which I think ought to be given to the absolute right of the legislature of a province itself to determine the best process or means by which elections to that legislature should be determined.

Mr. Bennett followed the Minister of Justice and said:—

I concur entirely in the observations of the right hon gentleman opposite in regard to this matter. I do not believe in an appeal from the Supreme Court of a province to the Supreme Court of Canada regarding controverted elections in that province, and I never have done so. From a logical standpoint, such an appeal should not be entertained, because the legislature itself should determine who should sit in the legislature.

I simply cite that part of his remarks. The whole tone of his speech is to the same effect. I do not intend voting for this amendment without reserving the right to pass such legislation if it is insisted upon by the local legislatures. But it seems to me we are exercising our functions quite properly at this moment in not hastening to place this legislation on the statute book. There is no hurry. I did not examine this legislation with that object in view. If there are contested elections arising from recent elections in any province, I suppose this legislation could not affect them. This Chamber has plenty of time

to deal with the question in the future, and it is better to postpone consideration of this measure. There is before Parliament an important Bill which has for its purpose and effect the shortening of delays, and we should not at this moment place ourselves on record as favourable to lengthening delays in this special case, when the larger question will come up in a Bill which is at present being discussed in the other House, and which has considerably interested public opinion throughout Canada—a Bill favourable to shortening of delays and bringing trials to a more speedy conclusion. For that reason I shall vote for an adjournment of this question until a later date, when the two branches of Parliament shall have expressed an opinion on the larger question which is contained in Bill 109, mentioned by the hon. gentleman to my left.

Hon. Mr. BEIQUE—The hon. leader of the Government has raised the question as to whether the Supreme Court of Canada should be limited to passing upon federal legislation, or should be called upon to pass as well upon provincial legislation. There is no doubt that the practice has been to extend the jurisdiction of the Supreme Court of Canada to provincial legislation and to provincial matters; it has gone so far in civil cases as well as in cases arising under the federal law. The question is not free from very strong doubts, and the hon. member is probably aware that jurists of very high repute have expressed very strong opinions to the effect that the Supreme Court of Canada has no jurisdiction upon civil matters. The practice before the question was raised made it very difficult to have a decision in a case upon its true merits. We have drifted into that practice, and for my part I entertain very strong doubts on the point. I think the intention of the constitution was that a Court of Appeal, such as the Supreme Court of Canada, should be limited to matters of federal legislation.

Hon. Mr. DAVID—I call the attention of the hon. leader of the House to the resolution which I moved in the session of 1913. The hon. leader of the House perhaps does not remember well the nature of the motion because it went further than he alleges. It is as follows:

> "Hon. Mr. David moved; that a committee be appointed to consider the advisability of limiting the right of appeal to the Supreme Court, and to the Privy Council to certain classes of cases."

The hon. leader of the House does not remember that accurately. I spoke not only of the right of appeal to the Privy Council, but also to the Supreme Court, and in my remarks in speaking to the question I said:

> "There are some who contend that the interpretation of a provincial statute and of a contract passed under a provincial statute, should be left to the provincial courts of justice, and that being more familiar with provincial laws and decisions, they are the most complete courts to judge those cases, and consequently there should be no appeal in such cases from the provincial courts of justice. On this point I am of their opinion, and I think their views should be taken into consideration."

I shall vote for the motion to adjourn the consideration of this question.

Hon. Mr. POWER—I agree with the sentiments expressed by the Minister of Justice, the leader of the Opposition, and the member for Calgary in the other Chamber. There is one point to which I think the attention of the House ought to be directed and that is: if this Bill becomes law, the greater part of the time of the Supreme Court will be taken up in trying controverted election cases from the various provincial courts, to the detriment of the regular business of the Supreme Court. That is a point which deserves a good deal of consideration.

Hon. Mr. BELCOURT—May I point out to my hon. friend that this legislation might lead to a very serious anomaly, and perhaps something which might be described in stronger terms. If this Bill goes through these appeals to the Supreme Court will be permitted if the provincial legislature so enacts. If the province of Manitoba should pass a law creating an appeal from the provincial courts to the Supreme Court, what is there to prevent the province of Manitoba from making these appeals retroactive, and give the right to appeal to the Supreme Court from a decision already rendered. That would be unfair.

Hon. Mr. LOUGHEED—The jurisdiction could only begin from the very time this Act would come into operation, namely, when the Royal assent was given, so that it could not be retroactive.

Hon. Mr. BELCOURT—Let me state my meaning. We are going to prorogue within a week or ten days. There may be a case pending in the Court of Appeal, or there may be a judgment rendered by the Court of Appeal within a week. If within sixty days the Legislature of Manitoba

gives the right of appeal from the provincial court to the Supreme Court, that gives an appeal which would be manifestly unfair, as my hon. friend must see. The parties have gone to the Court of Appeal, say in the province of Manitoba, knowing that that was the final court, and believing that the case would never go any further; but if we pass this Act, and if the Manitoba Legislature should implement it by a statute giving jurisdiction, that case which was not appealable when it was decided by the Court of Appeal, would be appealable; that is a result which would be manifestly unfair and improper

Hon. Mr. CLORAN—I am very glad I raised the point when the hon. leader of the House introduced this Bill. It was going through without discussion, but I raised the question, and I am glad to see that so many of my colleagues endorse my views.

The House divided on the amendment, which was carried on the following division:

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(Sir Mackenzie),	McLaren,
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CONTINGENT ACCOUNTS OF THE SENATE.

DEBATE CONCLUDED.

The Order of the Day being called:

Resuming the adjourned debate on the consideration of the sixth report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. ROSS (Middleton)—While there has always been a dispute between the Committee on Internal Economy and His Honour the Speaker ever since I have had the honour of a seat in this Chamber, I always thought the dispute was as to the merits of appointments, or the fixing of salaries, or promotions, but I never understood until yesterday that it was really a fundamental dispute as to the constitutional position of the Speaker of this House, and when I ascertained that fact yesterday and heard one or two of my hon. friends speak on the question, I thought I would like to have a look at the Act before I voted. Having looked at it, I do not wonder that there has been a dispute over this Act for the last three years, and unless there is some amendment to the Act there will be disputes for a great many years. I shall indicate to the House where I think the trouble has arisen from this legislation. The Civil Service Act dealt with the executive of departments. Now, it is common knowledge to the members of this House that the constitution here consists of the two Houses which are legislative, and the executives department, which carry out the legislation passed in the two Houses, but in no sense of the term could you call either the Senate or the House of Commons a department, and that is one of these things which was not borne in mind by the people who drafted this legislation. When they drew an Act respecting the Civil Service of Canada, they defined who the head of the department was and who the deputy was, and then proceeded to legislate for the departments, and there was no trouble about it, because the organization of every department was practically the same. Then it was thought, apparently, a good thing to extend the provisions of the Civil Service to the officers of the two Houses. Now to do that in the Act of 1908, they extended the meaning of the word "Deputy Head" so as to make it include the clerks of the two Houses, and the Library of Parliament, and the meaning of "Head of Department" to include the Speakers of both Houses. If they had gone on and put in another clause saying that each of the Houses for the purpose of this Act should be a department the matter would have been clear, but they did not do that, and in my opinion that is what caused all the trouble. The legislation proceeds practically, with a few exceptional clauses, along the same lines as when they were legislating for an executive department alone. Let me point out to you how that affects the Act of

1908, and the position of the Speakers of both Houses. Section 8 says:

"As soon as practicable after the coming into force of the Act, the head of each department should cause the organization of his department to be determined and defined by Order in Council, due regard being had to the status of each officer, or clerk, as the case may be."

That is all right for the Department of Justice, the Department of Agriculture, and so on, but it will not do for this House, because this House is not a department, neither is the House of Commons a department, and therefore the Speaker of this House is stopped. The very first thing he had to do under this Act was to organize his department.

The SPEAKER—Would the hon. gentleman couple section 8 with section 45?

Hon. Mr. CLORAN—Get the connecting links; that is the beauty of my doctrine.

Hon. Mr. ROSS—I have examined the point very carefully and you will find a good deal of trouble in following section 45. Further on, in section 8, the Act says that the Order in Council should give the names of the several branches of the department. You cannot carry that out with the number and character of the officers, clerks, their duties, etc.

Hon. Mr. BELCOURT—Will my hon. friend permit me an observation?

Hon. Sir MACKENZIE BOWELL—Order.

Hon. Mr. CLORAN—The hon. gentleman was asked for an explanation; who has the right to call order?

Hon. Sir MACKENZIE BOWELL—I have, and I do.

Hon. Mr. CLORAN—You have no right to.

Hon. Mr. ROSS—Subsection 3 cannot be changed except by an Order in Council. Then, further on, in section 15, each head of a department must furnish the commission with the number of additional permanent officers or clerks likely to be required in his department within the next six months. That cannot apply to this House. Then there is one other clause under which the head of the department must notify the Treasury Board of the name, position, and services performed by each clerk, and that cannot apply to this House. What I think is perfectly plain is that the Speaker of this House, as well as the Speaker of the other House, is very much like a man who has been given the position of colonel without a regiment.

Hon. Mr. CLORAN—Does that refer to your neighbours?

Hon. Mr. ROSS—Under this Act he has the honour of the office which is conferred on him.

The position that I take with regard to this Act is that, with the exception of one or two clauses—which exceptions are not necessary for me to argue—it was in the mind of the man who drafted this legislation, though he never expressed it, to put the House on the footing of a department. For that reason I think there is what some people describe as a barn door in the Act; there is want of a clause defining the word "department"; and until that word "department" goes in and puts the Speaker of the House and the Chief Clerk on the same footing as a minister and a deputy minister, in my opinion the safest and soundest position to adopt is that the old powers, the powers of the House as exercised and enjoyed in 1908, still continue, except where you have an express clear-cut clause which enables the head and the deputy head to deal with the matter of their own motion. Until then it should remain with the House itself, which acts through the medium of the Internal Economy Committee. I admit there are some sections which provide that the Speaker and the Chief Clerk can, without reference to anybody, do certain things, but they are not very material.

Hon. Mr. POIRIER—What are they?

Hon. Mr. CLORAN—Read section 45.

Hon. Mr. ROSS—I have read 45, and if my hon. friend wants reading lessons he had better continue reading 45 himself. I think the hon. gentleman will find that sections 24 and 22 deal with exceptional situations. Practically that is all I have to say in regard to this matter—that on account of an absence of a definition of the word "department," I cannot find anything in this Act to take away the old powers of the House and transfer them to the Speaker.

Some hon. GENTLEMEN—Hear, hear.

The SPEAKER—Will the House allow me to put a question?

Hon. Mr. ROSS—Make it easy.

The SPEAKER—Just a question. The hon. gentleman has quoted section 8 of the

Civil Service Act amendment of 1908, and said that the Senate cannot do anything under that clause because the word "department" was not inserted there. I call the attention of the hon. gentleman to section 45, which says that section 8, in so far as regards the classification, applies directly to the Senate. What is the hon. gentleman's answer to such an observation?

Hon. Mr. BELCOURT—I want to point out where my hon. friend's arguments wholly fail. He says that because the Act has not declared the Senate a department, the Act cannot apply. Nobody would expect that the legislature would want to declare that in all respects the Senate and the House of Commons are on the same footing as a department. That would be absurd. Nobody would expect that. But if he will once more read subsection 2 of section 3 he will see that his argument fails, because there are, whilst no doubt, provisions in the Civil Service Act which cannot be made applicable either to the House of Commons or the Senate there are several at least which can be made applicable with propriety and without any inconvenience. But subsection 2 of section 3, to which my hon. friend does not seem to have paid sufficient attention, covers that point altogether. So much of this Act and of the Civil Service Act as relates to appointments, classifications, salaries and promotions, etc., shall apply to the permanent officers, clerks and employees of both Houses of Parliament and the Library of Parliament.

Hon. Mr. CLORAN—That is plain enough.

Hon. Mr. BELCOURT—My hon. friend says that so far as appointments, promotions, etc., are concerned, the Civil Service Act does not apply, because first there are provisions in the Civil Service Act which manifestly cannot apply to the Houses of Parliament, and because it has not been declared in the Act that the Senate and the House of Commons are departments. The provisions on which I relied are quite plain. It was not thought to put the Houses of Parliament on the same footing as a department. It could not be done, but the object of that subsection was to have those provisions of the Civil Service Act which might be applicable to the Houses of Parliament, to so apply, and that is what these sections say. That is the interpretation that was put on this section by this House in 1912, when, acting under the provisions of section 8, the provision of subsection 2, of section 3 were applied and classification was made by the House on this report of the Committee on Internal Economy. Then, unless section 45 means what we say it means, I would ask my hon. friend to tell me what it means. It cannot mean anything else. Section 45 reads as follows:

Wherever under section 5, 8, 10 (paragraph B of subsection 1) 21, 22, 23, 24, 26 (subsection 2) 32, 33, 36, 37, (subsection 4) of this Act or under the Civil Service Act, any action is authorized or directed to be taken by the Governor in Council, or by Order in Council, such action, with respect to the officers, clerks, and employees of the House of Commons or the Senate, shall be taken by the House of Commons or the Senate, as the case may be, by resolution and with respect to the officers, clerks and employees of the library of Parliament, and to such other officers, clerks, and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by the two Houses at the next ensuing session.

Does not that mean that the Senate, like the House of Commons, is to make the classifications provided by the Act? In 1912 we applied the provisions of the Act. I think my hon. friend ought to deal with the matter more seriously, and it must be manifest to him that because certain provisions of the Act do not apply, he cannot hold that all the provisions do not apply.

Hon. Mr. ROSS—My hon. friend asked a question about section 45?

Hon. Mr. CLORAN—I asked about an hour ago.

Hon. Mr. ROSS—I will try to kill two birds with one stone. In my view section 45 cuts the ground from under the feet of the Speakers of the two Houses, because where an Order in Council is spoken of—

Hon. Mr. CLORAN—I did not ask the hon. gentleman for his interpretation of the law. I simply asked him to read the section. I do not want his interpretation.

Hon. Mr. TESSIER—But we want it.

Hon. Mr. ROSS—Under section 45 the position I took with regard to it is fully confirmed. There is just one other question.

Hon. Mr. CLORAN—Has the hon. gentleman a right to speak twice?

Hon. Mr. ROSS—I am not speaking twice. An hon. gentleman asked a question of me

with regard to section 8, and I say the Speaker is limited in that regard.

The SPEAKER—The question is on the amendment, and the object of this amendment is to put these two persons in the same position as the other three persons named in the report.

The House divided on the amendment, which was rejected on the following division:

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Hon. Mr. CHOQUETTE—I beg to move in amendment that clause 11 of the report be struck out. It says that a register of the attendance of the employees similar to that kept in other departments should be maintained. I do not think that is practicable. They do not do it in the House of Commons, and I do not see why we should do it here.

Hon. Mr. EDWARDS—Strike out the word "Department."

Hon. Mr. CHOQUETTE—I do not see why we should compel the employees to sign a register. It shows a lack of confidence in our employees. If there is any particular employee who is remiss in his duty he should be censured for it, but we should not blame the rest of the employees. How would it be possible to carry out this register if an employee had to stay here until 12 o'clock at night? Could he be expected to be here at nine in the morning to register? But if this rule were carried out he would have a mark against him for not registering at nine in the morning. I do not see why we should compel all the employees to register because one man is delinquent and we know who that man is.

Hon. Mr. CLORAN—In rising to second that motion I do so owing to the argument of the hon. senator from Middleton (Hon. Mr. Ross), who has said that this House is not a department, and this regulation asks that the same system should be followed here as in other departments, and the hon. senator from Middleton has made it clear that this House is not a department.

Hon. Mr. DANIEL—The attendance of the members of this House is registered.

Hon. Mr. CLORAN—That is done for constitutional reasons. The constitution states that if a senator is absent during two consecutive sessions he should be disqualified.

Hon. Mr. TAYLOR—I rise to a point of order. Can an hon. member move two amendments to the same motion?

The SPEAKER—I am of opinion that when a member has moved an amendment he has no right to move a second amendment.

Hon. Mr. EDWARDS—Then I will move the amendment, because I honestly think that this rule could not be carried out.

Hon. Mr. CLORAN—I second the motion.

Hon. Mr. TAYLOR—You seconded the other one.

Hon. Mr. CLORAN—I will second every motion that has good common horse sense in it.

Hon. Mr. TAYLOR—The ruling of the Speaker applies to the mover and the seconder.

Hon. Mr. CLORAN—No, it does not apply to the seconder of the motion, and I think the Speaker is wrong anyway.

Hon. Sir MACKENZIE BOWELL—Order, order.

Hon. Mr. CLORAN—The hon. senator from Grandville (Hon. Mr. Choquette) did not move two motions on the same question. His second amendment is on another clause.

The SPEAKER—I have given my decision.

Hon. Mr. CLORAN—I accept the decision, but at the same time I think His Honour is wrong.

The SPEAKER—The main motion is on the adoption of the report. Speaking on the main motion the hon. gentleman from Grandville (Choquette) has moved an amendment. That amendment has been disposed of and the hon. gentleman cannot move a second amendment unless he had the right to speak a second time on the main motion.

Hon. Mr. CHOQUETTE—I do not wish to discuss the ruling of the Chair, but I should like to say that my amendment is not as to clause 7. The amendment I am moving now is as to clause 7.

The SPEAKER—If this report had been taken up clause by clause, and a motion had been moved to that effect, then the hon. member would be right, but we are taking this report en bloc.

Hon. Mr. DERBYSHIRE—There can be no argument on this motion until it is put to the House.

Hon. Mr. BEIQUE—Hon. gentlemen, clause 11 of the report requires that a register should be kept of the attendance of the employees of the Senate. Such a register is kept in various departments, and I think it is quite a proper thing to do here, but this clause goes too far. Surely it cannot be contended that no register of attendance should be kept. If the hon. gentleman is not satisfied with the wording of the clause, he should move to change the wording. I am not quite sure myself but that the wording might be improved, but I do not think the clause should be rejected in toto. This House is very much concerned with the attendance of its employees, and if no register is kept we have no means of ascertaining whether the employees are regularly in attendance or not. Such a rule as this is in force in all important business houses, and it is also in force in the departments of the Government and I see no reason why it should not apply here.

Hon. Mr. EDWARDS—The clause reads, "Similarly to the various departments of the Government." Now, that is strictly right; and how do they register? They register each time they come in and go out There they have regular hours. This body is entirely a different institution. I perfectly sympathize with the remarks of the hon. senator for De Salaberry (Hon. Mr. Beique) when he says that some record of attendance should be maintained; there is no objection to that, but the clause reads: "as in the various departments of the Government." That is absurd, because this House may sit just as the House of Commons sits. That rule does not prevail in the Commons, because it is not a department. We have had instances of the Commons sitting for a whole week, and this House might sit for a whole week.

Hon. Mr. CLORAN—Yes, and probably will do so this week.

Hon. Mr. EDWARDS—I do not think the scheme is proper. It is a system that prevails not only in dealing with labourers, but sometimes in offices, and employers in some cases register when coming in and going out, for the purpose of maintaining decorum, but in the Senate it is not reasonable or practicable.

Hon. Mr. DANDURAND—I take it that this recommendation means that the register of attendance shall be conducted on lines similar to those kept in the other departments, but if it really means that the personnel of the Senate would have to register and be here from 9 to 5, then we are going against our interests, because if we should adhere to the rule, when we sit in the evenings we would be without a staff.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DANDURAND—If the same rule is to apply in the Senate as in the other departments, I would dissent from the wording of this clause. The Senate should clothe the Clerk with sufficient power to enable him to know if there is a regular attendance of the personnel under him; but if this is to be a register similar to that kept in the other departments, then I am bound to vote for the amendment of the hon. gentleman from Ottawa. I draw the attention of the Senate to section 46 of the Civil Service Act, which says—

> Nothing in this Act or the Civil Service Act should be held to curtail the privileges now enjoyed by the officers, clerks and employees of the House of Commons or of the Senate or of the Library of Parliament with respect to rank and precedent, as to attendance, office hours, or leave of absence, or with respect to engaging in such employment during Parliamentary recess as may entitle them to receive extra salary or remuneration.

Of course I do not know exactly what bearing this clause would have upon some kind of regulation that we should enact as to the attendance of members, but I see clearly that we can not hold the personnel of the Senate to the same rules as those which govern the other departments.

Hon. Mr. WATSON—The intention of the committee, in making this report, was, as it ought to be, that there should be some supervision over the attendance of the employees of this House. After making a careful investigation by a sub-committee, and examining the chief officers of the Senate we were informed that certain officials of the Senate did not give attendance to the Senate at all, but were away half their time, that they would leave at three o'clock when they are required here until 4, 5 or 6 o'clock in the afternoon. Any gentleman who has had experience with the Internal Economy Committee, and the staff of the Senate, will know that some of our staff work very hard and attend at regular hours, while others are practically loafers, and leave the willing workers to do the work, while they go out when they like. That being the case, as reported to us by the officers of the Senate, it was thought that something should be done to enforce regular attendance. If it is not possible to carry this out in the manner recommended, it should be done in some other way. There is no reason why the employees of the Senate should not be subject to the same regulations as the officers of a department. Our recommendation is that some system should be adopted whereby the officials of the Senate should be required in some way to record their attendance.

Hon. Mr. THOMPSON—Or know by that record when they are absent.

Hon. Mr. WATSON—Or know that they were absent.

Hon. Mr. DAVIS—Some of them are living in Montreal, and just put in an appearance here.

Hon. Mr. WATSON—It is not to impose any hardship on our employees. So far as the gentlemen who have to attend the sittings of the House are concerned, for instance the gentlemen at the table, this clause does not include them; such officials in the departments are not required to register; but the ordinary employee who is under the control of some chief officer ought to be under some regulation requiring him to keep a record of his attendance.

Hon. Mr. DAVID—Did the members of the committee ascertain from the officers of the House whether it would be practicable?

Hon. Mr. WATSON—A sub-committee of the Internal Economy Committee had before them the chief officers of the Senate and got the information. On receiving that information we adopted this report. The administration of the rule will be in the hands of the Clerk.

Hon. Mr. GORDON—I am surprised to hear any hon. gentleman say that such a simple regulation as this is impracticable, or cannot be enforced. I am satisfied that no honest employee of the Senate would object to such a regulation as this; and if that be the case, why should any hon. member of this House object? The regulation is so simple and so easily enforced that, to my mind, it should be adopted and enforced. This regulation would imply that heretofore there has been no registration, and if that is the case, I for one am in favour of the recommendation of the committee.

Hon. Mr. POIRIER—I should like to know from the chairman of the committee if that regulation is going to apply during the recess of Parliament.

Hon. Mr. WATSON—Yes.

Hon. Mr. POIRIER—In that case I think it is making our rules unnecessarily rigorous. I could well understand that such a rule is required while Parliament is in session, but since Confederation it has been the practice, there being very little to do in the Senate during the recess, to leave the staff under the discretionary ruling of the Clerk, and not place them under unnecessarily rigorous rules. It sounds well, of course, for us to establish draconian laws, but in reality I see no necessity to force employees, who have practically nothing to do during recess, to remain in attendance. It is not of their own desire that things are so, and if they are made to come here every day at half past nine and kept until four or five, with nothing to do, the efficiency of the service will not be thereby improved. We will have all the employees here for no other purpose but making acts of presence, as they say in French, and the result of it will not, in my estimation, improve the Civil Service work, nor will it improve the disposition of our Clerk. It is well enough during sessions of Parliament, while the Senate is sitting, to have the clerks in attendance but, as one of the old timers in the Senate, I ask that matters be allowed to exist as heretofore, and leave that part of the administration to the Clerk, who, if necessary, will consult with the Speaker. It is not for us to establish dra-

conian laws for no other purpose except to say that we are boss, and will insist on having our employees in attendance when they have nothing to do. I am certainly oppose to this unnecessary act of rigour.

Hon. Mr. EDWARDS—I approve of maintaining proper decorum and proper attendance in the Senate. There is no objection to some record being kept, but I certainly object in the strongest terms to the rules applicable to the various departments being made applicable to the Senate; because I do not think it is practicable. In the various departments there are regular hours which are kept, 9 to 5. If we are going to make that regulation for the Senate, what officers are you going to have when you are sitting?

Hon. Mr. WATSON—The Clerk will arrange that.

Hon. Mr. EDWARDS—I am perfectly willing to entrust matters in the hands of the Clerk. I should like to withdraw my amendment for the striking out of the entire clause, and instead of it to move to strike out the following words: "Similar to those kept by the various departments." So that the clause would read—"that a register of attendance of the employees of the Senate be instituted and maintained." It seems to me that is a reasonable solution of the question.

Hon. Mr. BEIQUE—It will be in the hands of the committee?

Hon. Mr. EDWARDS—Yes.

Hon. Mr. BEIQUE—To prepare regulations and instructions to the Clerk.

Hon. Mr. POWER—I do not think the amendment is necessary, because the report does not say that the record should be identical with the registers kept in the departments, but similar. Identical and similar are very different things, but inasmuch as the hon. gentleman from Rockland (Hon. Mr. Edwards) seems to have set his heart on this particular amendment, I think the committee would not object to having the words "similar to those kept in the various departments" stricken out.

Hon. Mr. CHOQUETTE—I object to the whole clause, because I am in favour of the old motto "Let well enough alone." However, I am willing to accept the amendment.

Hon. Sir MACKENZIE BOWELL—To my mind this is the most valuable clause of the whole report. I cannot understand why we should have employees in this House who absent themselves three, four or five months every year. If the argument be correct that they have nothing to do, dispense with the office altogether and employ such officers as may be required during the session of Parliament. The complaint has been made in the past that just as soon as the House rises messengers receiving $1,000, and perhaps as high as $1,200 a year, leave the Senate and never show their faces during recess; so that we are really paying them $1,200 a year for doing nothing except during sessions of Parliament. If their services as messenger are required to do the work necessary to carry on the business, let them be here as other servants. Nobody in his own private business would think of employing a man for a month or two, paying him a high salary, and allowing him to be absent during eight or ten months of the year. That is what we are doing. Either have a staff who have nothing to do except during the session of Parliament and pay them for doing that, or keep them employed during the whole year. If we are going to economize, the sooner we change the whole system the better.

The SPEAKER—The question is on the amendment that the words "similar to the various departments" be struck out.

The motion was agreed to.

Hon. Mr. LOUGHEED moved that the word "January" be substituted for "June" in the report.

The motion was agreed to.

Hon. Mr. McKAY (Cape Breton)—I want to call the attention of the House to clause 7. If hon. gentlemen will look at that clause they will conclude that it is unnecessary. Clause 12 of the report says that employees absent from duty for three days because of illness shall produce a certificate from one of the Civil Service physicians. I think that is going a little too far. An employee may have a cold that would prevent him from coming to his work, or he might have some trifling thing the matter with him which would prevent his attendance. We frequently have little ailments that we are able to take care of ourselves, and it is not necessary to call in a physician. But if such a thing existed with one of our employees, he would be obliged to call in a physician whether needed or not. The employee

could not decide the question for himself. A Civil Service physician could not grant a certificate unless he had a thorough knowledve of the case. Such a clause as that is unnecessary, but if it is adopted the time should be extended to one week.

Hon. Mr. CLORAN—The hon. member for Cape Breton is perfectly right. Take the case of an employee who lived at Britannia: How could he send for a Civil Service physician? Why should this House discriminate against the family physician? I think the committee is making an attack on the medical profession. The certificate of a family physician is just as good as that of a Civil Service physician who may be running around organizing committees at election time, and who would probably charge the poor employee $3 or $4 for a certificate. I understand the hon. member is a physician, and he doubtless understands the position our employees would be in.

Hon. Mr. CASGRAIN—Do we know who these Civil Service physicians are, and where they live? If one were not immediately available, it might be an expensive matter to send for him. I do not believe in these medical certificates, except to a limited extent. We all know that a family physician will sometimes grant a certificate out of pure kindness. I believe it would be much better to leave it to a statutory declaration to be made by the employee himself. Let the employee take the responsibility. I believe that most men would hesitate to make a statutory declaration that they were not able to attend to their duties unless that were really true. After all, what takes place when a doctor is called in? He has to take the word of the patient as to whether he is ill or not. A patient may lie down on a sofa and pretend to be ill, but if a patient had to make a declaration, I believe he would make an effort to get to his work. It would be in the public interest that employees when ill should make a declaration, and a great deal better than requiring an employee to pay a physician a fee.

Hon. Mr. MITCHELL—I think it is a very serious thing to interfere with a medical man. It would be a great hardship on employees to compel them to procure a certificate from a Civil Service physician. I think the family physician would be much better.

Hon. Mr. OWENS—This clause was put in the report because employees who are not really sick do not defer to the Speaker, the housekeeper or any one else. They simply put on their coats and walk out and remain away not merely for three days but in some cases three weeks, and expect to be paid for the time they are absent. It is absolutely necessary that we should have some regulation of this kind, because these employees abuse their privileges.

Hon. Mr. CLORAN—Why not adopt a clause that would not be so severe?

Hon. Mr. POWER—This provision of the report embodies the practice which prevails in the various departments. If an employee is absent for three days, he has to produce a certificate of illness from one of the Civil Service physicians. I understand that the practice of this House has been that employees who were absent for any length of time had to produce certificates to the Clerk. Hon. gentlemen should not bestow all their sympathy on a man who may only be a malingerer; they should extend some of it to the service of the House. If this system works satisfactorily in departments, I do not see why it should not work satisfactorily here. If the House prefers it, I do not see why the clause might not be amended to read in this way:

That an employee absent from duty on the ground of illness may be required to produce a certificate of such illness from one of the Civil Service physicians.

Hon. Mr. CASGRAIN—Why not make it a regular physician?

Hon. Mr. POWER—The hon. gentleman comes here without thinking about the subject and thinks he knows better than the committee of twenty-five who have given it every consideration.

Hon. Mr. BOSTOCK—Make it "duly qualified physician."

Hon. Mr. POWER—In order to meet what seems to be more or less the general feeling of the House, I move that this twelfth clause be amended so as to read as follows:

An employee absent from duty on the ground of illness may be required to produce a certificate of such illness from a duly qualified practitioner.

The SPEAKER—The hon. gentleman has no right to move that amendment.

Hon. Mr. BEIQUE—Then I move the amendment.

The amendment was agreed to.

Hon. Mr. CHOQUETTE—I move that clause 13 be dropped.

13. That during the intervals between sessions the doorkeeper, the Speaker's steward and messenger, and the keeper of the wardrobe may be called upon to do duty as Senate messengers.

I object to singling out any particular officer by name. They should all be put on the same footing, so that all messengers who serve during the session shall do work outside the session. This clause might be amended by omitting the names of the officers mentioned, and saying that all permanent messengers of the Senate may be called on in the intervals between sessions to do duty.

Hon. Mr. POWER—That does not amount to anything. The doorkeeper is not a messenger, and the Speaker's steward, and the keeper of the wardrobe are not looked upon as being messengers. The object was—though I cannot say I felt strongly about it myself—that these officers should be available to be called upon if necessary to do duty as messengers. I understand it has not been the practice in the past to call upon these officers to do duty. If it should happen to be necessary, it is only right that the Clerk should have power to call them in.

Several hon. GENTLEMEN—Hear, hear.

The SPEAKER—That power exists already.

Hon. Mr. CLORAN—I do not see why those four officers should be singled out. As to the keeper of the wardrobe—it is a beautiful wordrobe the Senate has I must confess—why force him to come here for 9 months during the year when there are no cloaks and no hats to be hung up, no rubbers to clean, and no umbrellas to tighten up? What is he going to do? Simply nothing. As to the doorkeeper, why ask him to come here when the doors are closed, and when this House looks like a mortuary chamber?

Hon. Mr. DAVIS—The hon. gentleman has spoken three or four times to the motion.

The SPEAKER—He has no right to speak if he has spoken already.

Several hon. GENTLEMEN—Question, question.

The SPEAKER—The question now is on the main motion. Before putting that motion to you I will give my decision on two points of order in these terms. I prepared it in advance, because I have a right, when I find that a motion is not according to order, to say so.

Hon. Mr. CHOQUETTE.

Hon. Mr. POWER—Quite right.

The SPEAKER—It is my painful duty to denounce once more the last attempt of the Committee of Internal Economy to encroach on my rights and to substitute itself for the law in the administration of the Senate.

On Wednesday the 3rd day of March, 1915, the Hon. Mr. Power moved, seconded by the Hon. Mr. Taylor:

That the Committee on Internal Economy and Contingent Accounts have power, without special reference from the House, to consider any matter affecting the Internal Economy of the Senate, as to which His Honour the Speaker is not called upon to act by the Civil Service Amendment Act, 1908, and such committee shall report the result of such consideration to the House for action.

The question of concurrence being put thereon, the same was resolved in the affirmative, and Ordered accordingly.

By this resolution, all that pertained to His Honour the Speaker was deliberately set aside, and placed out of the reach of the committee.

The committee has consequently never been entitled to make the report which it tries to-day to impose upon this House.

This report is entirely against the letter and the spirit of that resolution of the 3rd of March last, and it is as Speaker of this House, my bounden duty to call your attention to this attempt to set aside the most formal instruction given to that committee.

This sixth report of the committee deals with the positions and duties of the staff of the Senate, recommends a certain number of dismissals, and points the name of the persons who are to fill up the vacancies, instructs the Speaker to appoint certain persons to a certain position, and in a general way indicates to the Speaker what are the duties which the committee expect him to perform, so that he may not be ignorant of them. It advises him that, in the future, no appointments are to be made of charwomen until the number has been reduced to seven, that the number of pages should not exceed four, that during the intervals between sessions, the Speaker's steward and messenger be called upon to do duty as Senate messengers, etc., etc.

In 1908 the Parliament of Canada placed on the statute book legislation which decides undeniably and with supreme authority the question which is to-day pronounced upon by the Committee of Internal Economy.

This legislation, chap. 15, 7-8 Edward VII, in dealing with the organization of

departments and with subsequent alterations which may be made thereto, assigns —formally and without any possible error— to the minister in charge of a department, and to the Speaker of the Senate—in so far as the Senate is concerned—the work of organization and reorganization of the staff under his control.

"The head of each department," says section 8 of the above cited Act, "shall cause the organization of his department to be determined and defined by Order in Council."

This organization, once it is determined on the initiative of the head of a department, and confirmed by Order in Council, remains intangible, until another Order in Council, obtained in the same manner, brings into operation, in this first organization, the alterations necessitated by the exigencies of the service. This is what is enacted by the statute, in the 3rd paragraph of said section 8, when it adds:

"After being so determined and defined, the organization of a department shall not be changed, except by Order in Council."

It must be borne in mind that it is the head of the department who, alone, in the eyes of the law, has the power to put the machinery in motion: "The head of each department shall cause the organization of his department to be determined and defined by Order in Council."

And besides, all appointments—those provided for in sections 21, 22 and 23 of the Civil Service Act, 1908, as well as promotions permissible under section 24—are made on the report of the deputy head of each department, concurred in by the head thereof and approved by Order in Council.

That is the real economy of the Civil Service Act.

Needless to add that the Act, in this connection, assimilates the Speakers of both Houses—(sec. 2, sub-sec. c) to the heads of departments, and the decisions of both Houses, to Orders in Council (sec. 45).

Notwithstanding the enactments of a Statute, adopted by this House on its own behalf, the Committee of Internal Economy takes upon itself to ignore the prerogatives of the Speaker of the Senate who, in this instance, has all the powers of the head of a department.

To the recommendation of the Speaker, the recommendations of the Committee is substituted, and the Committee, contrary to law, usurps the right to organize the Staff of this House, and to suggest to the latter the promotions to be made. What becomes then—and I mention but this last case—of the section in the Statute which enacts:

"24. Promotions, other than from the third to the second division, shall be made for merit by the Governor in Council (i.e. the Senate) upon the recommendation of the head of the department (i.e. the Speaker) based upon the report in writing of the Deputy Head."

An attempt was made last year to amend the law, and a Bill was initiated in this Chamber. The Senate tried to recover the standing it had voluntarily sacrificed in accepting the law of 1908. But such an attempt was fruitless and Parliament did not move in the matter.

As long as the present law shall determine the organization and reorganization of the Staff of the Senate, as well as the promotion of certain employees—as long as it has not been amended in the sense desired by the committee—I shall uphold the prerogative granted to me by the Statute, of recommending myself, to the exclusion of everybody else, the proposed appointment or promotion—and any suggestion in that line, if it is lacking this necessary condition of the presidential recommendation, cannot, after all, but be declared illegal.

What is illegal cannot be in order.

I therefore declare out of order all that part of the report of the Committee of Contingent Accounts, which relates to the organization of the Staff and the promotion of certain of its employees.

My decision can be appealed from and reversed.

What then?

A conflict will have been created, a regrettable conflict, more regrettable for the Senate than for myself; for, having no intention whatever of disarming, when I am perfectly sure of being in accord with the law, I shall continue to invoke the law— as well as the manner of interpreting it by the persons themselves who have the charge of enforcing it, and from whom the following letters will show what should or should not be done under the circumstances.

In answer to questions put to him in a letter dated 6th December, 1912—the text of which can be found in the Journals of the Senate of the 23rd January, 1913—the following is what the Deputy Minister of Justice said, respecting my contention that the appointment of certain employees of the Senate should be preceded by the recommendation of the Speaker.

"This would appear to be the prescribed method of appointment, having regard to sections 2, 3 (subsection 2) 22 and 45, of the Civil Service Amendment Act, 1908. The recommendation of the Speakers appears to be a condition to the making of any such appointment.

(Signed) E. L. Newcombe,
Deputy Minister of Justice.

The Auditor General is not less explicit, and if I cite his opinion, it is not so much to show that it is in accordance with my own, than to establish that, if the Senate wishes to place itself above the law, the intervention of the Auditor General may be exercised in a manner disastrous to the employees which the Senate may have appointed, ignoring the provisions of the Statute.

The Auditor General states in fact, what his duty would be under such circumstances:

"In answer to the third paragraph of your letter, I beg to state that I do not see how the clerk of the House, the chairman or secretary of any committee or even the Senate, could proceed to make an appointment without having their action preceded by your recommendation, based upon the report in writing of the Clerk of the Senate.

"With reference to the last paragraph, I cannot conceive such a thing as the Senate ignoring the law which they assisted in enacting, but should such a thing occur, it would be the duty of the clerk to decline to issue a cheque for the payment of the salary, and the duty of the Auditor General to refuse to allow such payment to be made.

(Sgd.) J. Fraser,
Auditor General."

This House, in accepting the Civil Service Amendment Act, 1908, and in contributing to make it the law of the land, has deliberately consented to the abandonment and sacrifice of the privileges of the past, and it does not possess any longer—either for its Committee or for itself—the right of substituting its recommendation to that of the Speaker, nor the right of making any appointment which has not been previously recommended by the Speaker.

Should it go beyond that, it commits an illegal act, and clashes into the impassable barrier set up by the Auditor General.

I certainly cannot become an accomplice to such an infraction, and, considering it is my imperative duty to ensure to the law its undeniable supremacy over any rule, resolution or report of the Senate or of its committee,—I declare out of order that part of the report of the Committee of Internal Economy and Contingent Accounts of the Senate relating to the reorganization of the staff of this House and to the promotion of any of its employees.

Hon. Mr. POWER—I have the honor to appeal from the decision of His Honor the Speaker, and I move, seconded by Hon. Mr. Taylor, that that decision be not accepted by the House. This decision, I may say, is something that we have been having every session during four years—

The SPEAKER—The hon. gentleman is out of order. No discussion is allowed on my decision. The question is, should the decision of the Speaker be sustained.

The House divided on the question, and the decision of the Speaker was reversed on the following vote.

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Hon. Mr. POWER moved the adoption of the report as amended.

The motion was agreed to on a division.

The Senate adjourned till 3 p.m.

Second Sitting.

Hon. Mr. BOLDUC, in the absence of His Honour the Speaker, took the Chair at three o'clock.

Routine proceedings.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—I should like a little information, not so much for myself as for the country. Will the hon. leader of the Government inform the House, so that it

will be on record, why His Honour the Speaker is not in the Chair this afternoon? He is a civil servant.

Some hon. GENTLEMEN—He is sick.

Hon. Mr. CLORAN—We have no official information in regard to that. If His Honour the Speaker has reason to be absent, and there is no illness, he will not require any Civil Service doctor's certificate. We are entitled to know why he is absent.

Hon. Mr. LOUGHEED—May I point out to His Honour the Speaker that there is nothing before the Chair.

Hon. Mr. CLORAN—But there is no Chair. I have no objection to the present chairman, but he was illegally elected, and every piece of legislation from now until His Honour the Speaker resumes the Chair will be illegal.

Hon. Mr. LOUGHEED—I rise to a point of order. There is nothing before the Chair.

The SPEAKER—There is nothing before the Chair.

ONTARIO BILINGUAL SCHOOL QUESTION.

Debate continued, the Order of the Day being called:

Resuming the further adjourned debate on the motion moved by the Hon. Mr. David, seconded by the Hon. Mr. McHugh:

This House, without derogating from the principle of provincial autonomy, deems it proper and within the limits of its powers and jurisdiction and in pursuance of the object for which it was established, to regret the divisions which seem to exist among the people of the province of Ontario in connection with the bilingual school question and believes that it is in the interest of the Dominion at large that all such questions should be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, in accordance with the views of the Fathers of Confederation, and with the spirit of our Constitution; and the motion of the Hon. Mr. Bolduc, in amendment, seconded by the Hon. Mr. Pope:

That this House, without derogating from the principle of provincial autonomy or suggesting in what manner any province should exercise its powers in matters of education, deems it proper to regret the existence in any province of Canada of divisions in connection with bilingual school or other national or religious questions, and believes that it is in the interest of the Dominion at large that all such questions should always be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country, and in accordance with the letter and spirit of our Constitution. And also the motion of the Hon. Mr. Power in amendment to the amendment, seconded by the Hon. Mr. Derbyshire:

That the said amendment be amended by striking out all the words therein after the words 'this House' and substituting therefor the following: "while it believes it is in the interest of the Dominion at large that all questions as to which divisions exist among the people of any province should be considered on fair and patriotic lines and settled in such a way as to promote peace and harmony between the different racial and religious elements of the population, is of opinion that, inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces, any suggestion volunteered by the Senate as to the manner in which any province should exercise its power would be contrary to the spirit of the Constitution and calculated to intensify and extend any divisions of feeling that now exist.'—(Hon. Mr. Daniel.)

Hon. Mr. DANIEL—I find myself suffering from a severe cold this afternoon, and I move that this Order of the Day be discharged and that it be placed on the Order Paper for this day week.

Hon. Mr. CLORAN—That kills it.

Hon. Mr. CHOQUETTE—I am opposed to that. I have something to say on this question.

Hon. Mr. BEIQUE—I understand the hon. gentleman does not insist on his motion, and is willing that I should take his place, as he is not fit this afternoon.

Hon. Mr. DANIEL—I am asked by the hon. gentleman from DeSalaberry to withdraw my motion for the time being, and I do so with the consent of the House.

Hon. Mr. BEIQUE—I desire to make a short survey of the position occupied by hon. members who have spoken on this subject, and to draw attention to the fact that all parties seem to be agreed as to the principle or expression of opinion covered by the main motion. The discussion which has taken place on this question, to my mind, does credit to this hon. House. The language which has been used has been of a high tone and very moderate, and a wise course has been taken throughout the discussion. The motion in amendment, which was proposed by the hon. member from Lauzon (Hon. Mr. Bolduc) it will be noticed covers, for all practical purposes, the main motion. It is worded somewhat differently in order to avoid referring to any individual province, and also to make the purport of the motion more general than the main motion. What is the purpose of the amendment of the hon. member from Lauzon (Hon. Mr. Bolduc)? It is this that this House be-

lieves "in the interest of the Dominion at large that all such questions should always be considered on fair and patriotic lines and settled in such a way as to preserve peace and harmony between the different national and religious sections of this country and in accordance with the letter and spirit of our constitution." I am quite sure that there is not a single member in this House who would be ready to take exception to that. If there is, I would invite him to say now. Will anybody deny that all such questions should not be settled in the way that is mentioned in that amendment to the motion? The motion moved by the hon. member from Halifax (Hon. Mr. Power) admits the very principle of the main motion, and the motion of the hon. member from Lauzon (Hon. Mr. Bolduc) because, reading from the amendment of the hon. member from Halifax we find the following: "This House believes it is in the interest of the Dominion at large that all questions as to which division might occur among the people of any province should be considered on a fair and patriotic line and settled in such a way as to preserve peace and harmony between the different national and religious sections of the country." I fail to see on what principle the members of the House are divided, because I find the same principle embodied in the three different motions which have been made before this House. The only grounds of division that I can find rests on the suggestion that it is inadvisable to record an expression of opinion of that kind for fear that it might create irritation in certain sections of the country. An additional reason which was also given is, as it is claimed by those who have given such reason, that matters of education, being entrusted to the provinces, it would be contrary to the constitution to suggest in what way these matters should be settled. I call the attention of hon. members to the fact that in none of the motions is to be found any suggestion as to the manner in which this question should be settled, except that it should be settled in a fair and broad spirit and in accordance with the letter and spirit of the constitution. Therefore, it seems elementary that any motion, worded as these are, cannot imply any suggestion of a settlement contrary to the letter or spirit of the constitution; hence that ground is not well taken. As to the other reason which is assigned—that it may create irritation in certain sections of the country—I would respectfully suggest it surely cannot be contended that the fact of saying that such issues, whether religious or school questions, should be settled in a broad spirit and in accordance with the letter and spirit of the constitution, is calculated to antagonize any section of the country. It would be rather an insult to assert that any part of the population in this Dominion would find cause for irritation in an expression of that kind from this hon. House. In dealing with this matter, I have guarded against entering into the constitutional aspect of the question, and I believe that other members have done the same. We have been careful to avoid any controversial question. We have put the case on a much broader ground, namely, an appeal to all men of common sense for fair-play and common justice to the parties who are concerned in this question. We have rested our case on article 4 of regulation 17, which prohibits in express terms the teaching of the French language in all schools except schools in which that language has heretofore been taught—which means that hundreds of new schools may be established in the province of Ontario in which the teaching of the French language would be prohibited. We have also in support of our case the opinion of six of the inspectors appointed by the Department of Education, three English speaking and three French speaking, who are unanimous in saying that regulation 17 is unfair, and that the effect would be to suppress the teaching of the French language in Ontario. I am not aware that any members of this hon. House have seriously questioned that, and I find that even the hon. gentleman from Halifax, who moved the motion in amendment, spoke as follows:

> I do not undertake to defend regulation 17. My own impression is that that regulation might be modified in the interest of the French-speaking people of the whole country.

We are not contending anything else, and it will also be noticed that we have avoided taking part in the dispute which has arisen between the school boards and the Department of Education. They may have gone further on one side or the other than was warranted. We ignored that entirely, because that was not involved. The question was presented on its own merits. In speaking in the first instance, I stated as a proposition that the French language was constitutionally on a parity with the English language in this Dominion. It seems to have surprised some hon. members, and especially the hon. gentleman from South

Bruce. My contention does not imply that constitutionally the French language should be taught in any of the schools of the province of Ontario. In fact, my proposition does not imply that constitutionally French should be taught even in the province of Quebec. I claim it would be open to the legislature of the province of Quebec, if the contention of the other side is correct —that is, if, according to the spirit of the constitution, both the two languages should not be taught—to prevent the teaching of the French language in Quebec, because, as far as the letter of the Constitution is concerned, it is silent on that point. All that we find in the constitution is article 133 and article 131. Article 133 declares that both French and English are official languages in the records and journals of the Dominion Parliament, and likewise in the legislative assembly of the province of Quebec, and section 101 declares that in all courts established by this Parliament English or French may be used at the option of any person. If it is contended—and I do not desire to enter into a discussion of that contention—that this does not imply that in the spirit of the Constitution both languages should be taught in this country, then I say, without any hesitation, that it would be within the power of the legislature of Quebec to determine that only the English language or any other language should be taught in the schools of the province. Take the province of Quebec, or any other province, will it be found that any language has been made the official language in that province? I believe not. I am not aware that there is anything of the kind. I admit it may be done. It is in the power of each legislature to determine that such and such languages shall be official languages, but so far it has not been determined, and French and English are on an equal footing, so far as the Constitution is concerned, because the only references to those languages which are to be found in the Constitution are in the two sections to which I have called attention, and both are treated alike.

Hon. Mr. ROCHE—Does the hon. gentleman draw any distinction between the language being spoken generally and the language being taught in the schools?

Hon. Mr. BEIQUE—I would ask the hon. gentleman to explain his questions. I do not understand what he means.

Hon. Mr. ROCHE—I think my friend refers to the fact that there was some disposition to ignore or prevent the general use of the French language. It is vernacular in Quebec. The only opposition to it would be the teaching of the French language in the schools of Quebec. Is he arguing that point?

Hon. Mr. BEIQUE—Very likely it is my own fault, but I do not understand what the hon. gentleman is driving at. I have, without discussing the question, called attention to what, in my mind, is the effect of the two sections of the British North America Act to which I have referred. Arguing on the supposition of either of the contentions, I have expressed myself without giving my opinion as to which of these contentions is well founded. I have not stated my opinion in the matter in one case or the other. I have only a very few words to add. Hon. gentlemen who speak only one language, the English language, which is the language of the vast majority of the people of this Dominion, do not fully appreciate the privilege of speaking one's own native tongue; the language which one possesses without effort is not fully appreciated as it would be were that privilege challenged. I am sure that hon. gentlemen, the majority of whom speak the English language, and who no doubt value it very highly, would be very much impressed if an attempt were made in any province of this Dominion to curtail in any shape or form the teaching of that language. They do not realize the effect of such curtailment because it has not occurred, and I am sure it will not occur. No exception should be taken to the motion of the hon. member from Mille Iles, and the fact that he has raised this question. Not only that, but I say it was his duty, and it is within the province of this hon. House to raise and discuss all questions of public interest. I quite understand exception could have been taken if he had suggested to this hon. House legislating on that question, but so far as he has limited himself to discussing the question as a public question, I claim that it is within the province of this House to do so in order to enlighten the citizens of this country and prepare public opinion to take the proper course. On a question of such importance to a whole province, such as my own province, and to over 200,000 inhabitants of the province of Ontario, members in this House speaking that language cannot be expected to remain silent, and I am sure that the discussions which have taken place will produce their fruits. I have too high an opinion of the fairness of all

English speaking people in this Dominion to believe that, on thinking over the question, they will fail to reach the conclusion that the claim is a just one, and that the French population of the province of Ontario is not entitled to some reasonable relief. Only last night a case was mentioned to me of a servant in this city whose parents reside in the northern part of Ontario. That servant has been attending schools in which the French language is not taught. She has learned English, and is able to write and read only English, and in communicating with her parents she has to write in English; but as her parents do not know a word of English, they are obliged to get somebody who knows English to translate her letters, and to write her in reply. Will it be claimed, when you have to deal with such a large population as 200,000 inhabitants—who may be 400,000 or 500,000 five, ten or fifty years hence—that they should be placed in that position? It seems but fair to expect that all reasonable people will unite in arriving at the conclusion that relief should be given. As to the manner in which the relief should be given, we have not suggested anything; it is for the Government of the province of Ontario, to say and decide, but these people should not be left to have recourse before the courts. The Government itself, it seems to me, should come to their relief, and I am confident that before many years elapse we will see that proper relief has been furnished.

Hon. Mr. DAVID—May I intervene to say that the Deputy Governor of the Governor General will be here at four o'clock, and I therefore propose now that we adjourn during pleasure.

Hon. Mr. CHOQUETTE—I will have the floor afterwards.

Hon. Mr. LOUGHEED—Yes.

The Senate was adjourned during pleasure.

BILLS ASSENTED TO.

An Act to amend the Canadian Patriotic Fund Act, 1914.

An Act to amend the Senate and House of Commons Act.

An Act respecting the Alberta Central Railway Company.

An Act respecting the Athabaska and Grand Prairie Railway Company.

An Act respecting the Brantford and Hamilton Electric Railway Company.

An Act respecting the British Columbia and White River Railway Company.

An Act respecting the Essex Terminal Railway Company.

An Act respecting the Grand Trunk Railway Company of Canada.

An Act respecting the Montreal and Southern Counties Railway Company.

An Act respecting the Canadian Northern Ontario Railway Company.

An Act respecting the Canadian Northern Quebec Railway Company.

An Act respecting the James Bay and Eastern Railway Company.

An Act respecting the South Ontario Pacific Railway Company.

An Act respecting the Southern Central Pacific Railway Company.

An Act to amend the Independent Order of Foresters Consolidated Act.

An Act respecting the Title and Trust company, and to change its name to Chartered Trust and Executor Company.

An Act respecting the Canada Preferred Insurance Company.

An Act respecting the Vancouver Life Insurance Company.

An Act to incorporate Marcil Trust Company.

An Act respecting the Edmonton, Dunvegan and British Columbia Railway Company.

An Act respecting the St. Lawrence and Adirondack Railway Company.

An Act respecting the Toronto Eastern Railway Company.

An Act respecting the British Columbia Southern Railway Company

An Act to incorporate the Brulé, Grand Prairie and Peace River Railway Company.

An Act respecting the Manitoba and North Western Railway Company of Canada.

An Act respecting Pacific, Peace River and Athabaska Railway Company.

An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.

An Act respecting the Athabaska Northern Railway Company.

An Act respecting the Canadian Pacific Railway Company.

An Act respecting the Ottawa and New York Railway Company.

An Act respecting the Empire Life Insurance Company of Canada.

An Act respecting the Huron and Erie Loan and Savings Company, and to change its name to "the Huron and Erie Mortgage Corporation."

An Act respecting the Casualty Company of Canada.

An Act respecting the Bank of Alberta.

An Act to incorporate Colonial Bank (Canada.)

An Act to incorporate Alberta Permanent Trust Company.

An Act respecting the Western Dominion Railway Company.

An Act respecting the Calgary and Fernie Railway Company.

An Act respecting the Canadian Western Railway Company.

An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.

An Act respecting the Toronto Terminals Railway Company.

An Act to incorporate Entwistle and Alberta Southern Railway Company.

An Act respecting the Simcoe, Grey and Bruce Railway Company.

An Act respecting the Toronto, Hamilton and Buffalo Railway Company.
An Act respecting the Kettle Valley Railway Company.
An Act to incorporate Fraser Valley Terminal Railway Company.
An Act respecting the Canadian Northern Railway Company.
An Act respecting certain patents of the Lohmann Company.
An Act respecting the Sterling Life Assurance Company of Canada.
An Act to amend the Bank Act.
An Act respecting the Van Buren Bridge Company.
An Act to incorporate Northern Pacific and British Columbia Railway Company.
An Act for the relief of William Ewart New.
An Act for the relief of Helene Suzette Baxter Douglas.
An Act respecting the Edmonton Dunvegan and British Columbia Railway Company.
An Act respecting the patent of the National Wood Distilling Company.
An Act for the relief of Lottie Thorndike.
An Act respecting the Grain Growers' Grain Company, Limited.
An Act for the relief of Adam Clarke Anderson.
An Act for the relief of Alexander McIntyre.
An Act for the relief of Violet Burnett Delmege.
An Act to amend the Customs Tariff, 1907.
An Act for the relief of Arthur Ernest Birdsell.
An Act for the relief of Thomas Jefferson Moore.
An Act for the relief of Alice Beckett.
An Act for the relief of Austin McPhail Bothwell.
An Act for the relief of Agnès Gravelle.
An Act for the relief of Clara Elizabeth Darnell.
An Act for the relief of Thomas Batin Harries.
An Act for the relief of William John Owen Delaney.
An Act for the relief of Edith May Webster Boydell.
An Act for the relief of William Robert Delaney.
An Act respecting the Premier Trust Company.
An Act respecting the North West Life Assurance Company.
An Act respecting the Moncton and Northumberland Strait Railway Company.
An Act to amend the Judges Act.
An Act to supplement the Revenue required to meet War Expenditures.
An Act to authorize certain extensions of time to Insurance Companies.
An Act respecting certain issues of Dominion Notes.

After some time, the House was resumed.

Hon. Mr. CHOQUETTE resumed the debate. He said: When I spoke on the main motion, I presented an argument in favour of the resolution, and I think nobody should find fault with the speech I then delivered. I am not going much outside of that, but I wish to cite the words of a good Irish priest on the same lines. Before proceeding I wish to say that I quite agree with the hon. gentleman from De Salaberry (Hon. Mr. Beique) when he said that nobody could object to the framing of the main resolution, and we could find still less objection to the amendment. I do not see that anybody can find fault with the first four or five lines of the irregular subamendment, as I declared it to be by my vote. So far we all agree. There can be no objection to declaring that it will be in the interest of the community at large that this question should be settled in an amicable and peaceful way, and that all the rights and privileges of those affected by it should be respected. But it is the last part of the subamendment moved by the hon. gentleman from Halifax to which there is objection. It reads as follows:

> That, inasmuch as the subject of education is one of those by the British North America Act, 1867, committed to the provinces, any suggestion volunteered by the Senate as to the manner in which any province should exercise its power would be contrary to the spirit of the Constitution and calculated to intensify and extend any divisions of feeling that now exist.

I remind hon. gentlemen this is a reproach to many hon. members of this House who have voted many times in the other House on a similar resolution—not in regard to the interest of this province, not in favour of a section of the community in this country, but in regard to outside matters belonging to the British Parliament, and when I look around this House I can see 20 or 25 members who were members of the other House with myself, when we voted unanimously in favour of Home Rule for Ireland. The Federal Parliament had nothing to do with that question: It could only be settled by the British Parliament. What objection can the two dozen senators who were then members of the House of Commons and voted for Home Rule, have to this House expressing an opinion in the interest of peace in this country and that the French people should be fairly treated? As the hon. gentleman from De Salaberry said, we are not legislating; we are simply proposing a resolution. We are just saying, as free citizens of this country and members of this House, that in the forum where this question should be settled they ought to take means to adjust it in a peaceful way in the interest of the country at large. To that there cannot be any objection. Now there is another point, and it is the main

reason for which I am now standing on my feet. I have been surprised, and it is with sorrow that I have seen the unholy alliance of the Orangemen and the Irish Catholics of Ontario. They have a right to join hands if they please, but as a member of this House, as a citizen of this country and as a French Canadian, I am more than astounded to see that the Irish Catholics with a few exceptions are now joining hands with those who have always been against them for centuries not only in Ontario but on the other side of the water, and are now licking the hands of those whipping them. If the Orangemen wish to stand with the Irish Catholics, I have nothing to say, but when they fought against Home Rule we stood by the Irish Catholics. If I am surprised to see this unholy alliance, it is cheering to us that a few English speaking Protestants in this House have stood up for fair play and justice. It is to their glory that they have done so. It is probably because they are better educated, know the French people better and speak their language; that is one of the best fruits of their higher education. Gentlemen of this House who do not belong to my race, religion or party have spoken in favour of this resolution, and I congratulate the member for Russell (Hon. Mr. Edwards) and Compton (Hon. Mr. Pope) and Moncton (Hon. Mr. McSweeney) for the way they treated the question and the justice they claimed for our race. On the other hand, we have seen the Orangemen fighting the Irish Roman Catholics all over this Dominion, and also in Ireland on the Home Rule question. They have actually gone to the extent of arming themselves to fight and kill the Nationalists if the Home Rule Bill should become law. No later than three weeks ago, in this very country, where harmony and justice should prevail, I read an account of a reception given to the Orange Lodge of Ontario East. In the Citizen of the 18th March last is a report of what the Grand Master said about the Irish Home Rule question. This is what he says: "The Home Rule Bill he said has, through the treachery of the Asquith Government"—not treachery of the French people but treachery of the Asquith Government:

> The Home Rule Bill has, through the treachery of the Asquith Government, been passed during the political truce which the patriotic Unionists had consented to for the period of the war. The matter is closed until peace has been established, but immediately that day comes, the loyal Unionists of Ireland will prepare to resist by every means in their power the enforcement of this iniquitous measure, and we confidently expect and pray to God that their efforts in the cause of freedom may be crowned with success. It will be our duty to give them every assistance that lies in our power.

Mind you, men of that country making war against the Minister of Justice and the Asquith Government! Now the Irish cannot refuse to stand with the French on this question when they know that we have fought for them, and educated and aided them when they needed help in this country. I am not going to draw any more conclusions, but I feel that it is my right to say, in the face of this lecture of the Grand Master of the Orange Order wherein he says that they will fight against the Home Rule Bill, that if the Irish want the French of Quebec to help them, we will be there notwithstanding what they have done, because we are prepared to stand for justice, even if those for whom we have to fight do not feel at heart that they should stand by us.

Perhaps I am speaking with a little feeling on this question, but it seems to me this is the time to speak the truth and to appeal at least to the generosity of those whom we have helped in the past and are ready to help in the future. I appeal most earnestly to the Irish Catholics to stand for the rights of the French people as the French have stood for theirs. I recall the eloquent words of an Irish priest who two years ago spoke in Quebec in the name of the true Irish race. I shall take the liberty to read his remarks, which I have found in the report of the Congress in Quebec, held in June, 1912. Father Quinn was 75 years old. He had been for 50 years an Irish priest in the county of Richmond, which is a mixed community. He was beloved by the French, by the Irish, by the Scotch and the English, and by Protestants as well as Catholics. He came to Quebec during that Congress, and claimed the right to say something, as at that time Mgr. Fallon, who, I regret to say, belongs to the same faith as mine, but whom I am not going to follow on a question like that, had begun there his insidious campaign against the French language in Ontario. At that Congress Father Quinn, who is a good Irish Catholic, speaking in French, asked permission to make a few remarks, and here is part of what he said:

> I do not belong by birth to the French family. The language of my youth was a foreign one, and if the dangerous honour has befallen upon me to speak in this intellectual and patriotic celebration, it is on account of my being a child of adoption and a son of Ireland.

But, ladies and gentlemen, the adoption was complete and I claim my place at the paternal table. The French tongue—it is mine—as it was yours. They spoke that language; the devoted priest to whom my father owed his peaceful death in a strange land, with a last pardon for the oppressors of Ireland. They spoke that language, those who adopted the five year old orphan; they spoke that language, those who educated me during my youth. It is still the language of the old man, and it is in that language that I am happy to-day to publicly express the gratitude which the sons of Ireland should profess for the country of adoption; for French Canada. Canada, on two different occasions was kept under the English flag by French valour. But that was not sufficient to prove your loyalty. During half a century you were compelled to struggle, before the courts, in Parliament, and in public meetings. Blood even was shed on battlefields to secure your liberties. French Canadians, you may with pride, claim the right to speak your language, you paid a sufficiently high price for that right.

But after coming out victorious from the assaults of its enemies, the French Canadian race was destined to learn something still more painful; the ingratitude and treason of too large a number of its friends. This brings me to the troubling question of the relations between the race of my origin and the race of my adoption. Cruel irony; deplorable contradiction; these two races who do not seem able to live close to one another on this land of America, their ancestors were in Europe, inseparable allies. Cremone, Fontenoy, Langfield, you are witnesses thereof; the warriors of the Emerald Isle astonished you by their valour and heroism which resulted in great victories for France.

It was in 1847, a famine still more terrible than the preceding one threatened the Irish people with complete extermination. In the course of three years more than four millions of these poor wretches, having escaped death miraculously, took the road of exile. Perambulating ghosts, they left their country weeping, in search of hospitality on more fortunate shores. It was the will of Providence that we land after two months at sea, on the shores of Grosse Ile (30 miles below Quebec). A disease which science could locate nowhere else, the fever of famine added its terrible torture to our already great sufferings.

Canada, however, saw those unfortunate people coming and welcomed them as brothers. Moved by compassion, Canadian priests, fearless of the epidemic, fought for the glory of extending assistance to them. Let the Canadian clergy be blessed for their heroism.

My parents of adoption, in order to enable me to preserve the language of my family, had placed me, quite young, in an English school.

So we see that not only now, but for 50 years back the French Canadian was willing and anxious that the English language should be taught and spoken, and so when they took that young man of five years old, the first thing they did, after caring for him, was to send him to an English school in order to preserve his language. You have there the best proof of how we respect the rights and the language of others. He continued:

The French Canadian people were also, one day, abandoned by their Mother Country, and they became orphans. An effort was made to impose upon them a strange, unknown language, and they said: "It is not the language of our soul, nor of our liberty." After long and persevering efforts, they at last obtained the official privilege of using French on an equal footing with English. They craved for liberty but never attempted to restrain the liberty of others. That is my ideal; and that is why that people had my affection and preference.

Must we add that descendants—in small numbers thank God—of those whom your fathers cared for when dying from hunger and trembling with fever, are to-day trying to deprive you of the right to speak your own language and under the pretext of religion to impose a foreign tongue on you.

I deeply regret it, but these attacks will have the effect of strengthening your national sentiment and your love of the maternal tongue.

When a man occupying a high position, and venerated as we might suppose, dares to raise his voice against the use of the French language in the preaching of the Gospel, there will always be found an eloquent patriot to vindicate and claim full recognition of the rights of his race with a noble and respectful firmness. He continued:

As long as the St. Lawrence flows towards the ocean each wave will carry towards the shores of the Mother Country the echo of a French word. As long as will subsist this forest of steeples so much admired my Monseigneur de Loubin-Janson, the word of God will be preached in the tongue of Bossuet, Fenelon and Lacordaire. As long as there will be, on this Canadian and American soil, descendants of the first settlers, they will always claim, as a sacred right, the privilege of speaking the language of Samuel de Champlain, Mgr. de Laval and Maisonneuve, not only in Quebec, but at all points where there is a French group, not only among the family, but at school, in church, before the courts, and in legislative assemblies; not as a favour but as a natural right, guaranteed by the Constitution and by the British Crown.

This right must be acknowledged by everybody and especially by my own compatriots. An Irishman, by nature, has a generous mind.

The real Ireland, as God made it, with the assistance of the Patricks and Colombans and their successors, is entitled to and shall always have my admiration and my love. It is of her, and not of an illegitimate and disfigured Ireland, that I proclaim myself the proud and devoted son.

Whatever the situation may be, I, the son of a courageous mother, wrestling from its oppressors, piece by piece, the inheritance of his liberty. I declare to my friends and to my French Canadian benefactors: "Struggle fearlessly and incessantly; act as O'Connell and Redmond; you have right and justice on your side; your cause is one that must be imperishable."

I ask hon. members of the House, especially my hon. colleagues of Irish origin, inside and outside of this House, to think of these words, and to contrast them with the words used some two weeks ago by the grand master of the Orange Order. I do not want to raise any feeling. I have nothing to say against the Orange lodges; they are doing what they suppose is right, but on the other hand, when I put before them the example of the venerable priest whose words I recall, I have a right to ask the leaders in the different provinces to urge their governments to give the French population the measure of justice to which they are entitled, as we in this country have been asking of the British Parliament time and time again to give them Home Rule.

Hon. Mr. EDWARDS—I do not desire to deal with the main question again; I simply wish to say a few words on the amendment to the amendment. When I raised the question of order, I believed that the proposed amendment was not an amendment. Let that be as it may, if the hon. gentleman who moved the amendment—and I give him credit for discussing every question which comes before this House in a judicial manner—was right in his contention, he should when this question was first introduced have opposed its introduction as one not being within the purview of this assembly and one that should not be dealt with here. Having permitted the question to be fully, or very largely discussed, and then moving an amendment to the amendment and not only that, but proceeded to discuss the merits of the whole question, I say, with all respect to him (for he is an older parliamentarian than myself), that he was wrong. If he was right in his contention that it was not a subject which should come before this House, he should not have discussed it, but should have confined himself entirely to his amendment. The question having been fully discussed it is not necessary that there should be a vote. There seems to be a desire on the part of some hon. gentlemen to prolong the debate, and it is just possible that it may be so prolonged that there may not be a vote upon it. Whether there is or is not, the effect will be precisely the same. The question has been discussed very fully and in a very equitable and moderate manner. For that I am, as one of those interested in the matter, very well pleased. Personally I disagree with the view that this question is not a proper one to discuss here. I claim that the Senate should be largely an educator of the people of Canada From this Chamber there should go out through the entire length and breadth of Canada every principle that is in the best interest of Canada, and it should be perfectly within the province of this House to discuss and express its opinion upon every social, moral or other question. Some hon. gentlemen may be pleased that there may not be a vote on this question, but as far as I am concerned, if a vote should be taken, I would vote exactly in the line that I have spoken, and in doing so I feel that I would do what is right. Whether we take a vote or not, we have given expression to our views, and the results, as far as I am concerned, in that respect are perfectly satisfactory.

Hon. Mr. DAVID—Before the motion that is to be moved by the hon. member for St. John (Hon. Mr. Daniel) is put, I wish to say a few words. I want to repeat what I said when I spoke on this subject in the first place, that I was not induced by anybody to make this motion. I alone conceived and worded it, and put it before the House, and I was not influenced in any way by anybody in this matter. I thank the hon. members of the Senate for taking my word of honour. Any member of this Chamber who gives his word of honour should be trusted by the other members. I do not thank those outside of this House who have not thought proper to take my word, and who continue to assert that I was influenced by somebody and by party considerations. I can only pity them for speaking as they do. Probably they do so because they cannot understand that a public man may be honest and guided by other motives than those which would govern themselves. I pity them because they cannot think better of their fellow-men than they do. It must be contrary to their nature, contrary to their morals and contrary to their intellectual ability. Some of the gentlemen, though I am glad to say very few, belong to my own nationality; their accusations and insinuations have been quoted in different papers of this country. Hon. gentlemen, my race has been abused in this way before, and there is not a single nation fighting for its liberties and for its rights that has not been betrayed by some of its children. But I do not think that these people should be taken into consideration

I want to say a word about provincial rights. Some hon. members of this House have expressed surprise that I, having always been a champion of provincial rights, should have moved such a motion as this. Well, hon. gentlemen, I do not think that allegation was serious. I cannot understand how a motion like mine could encroach upon provincial rights. If I had thought it was an encroachment, I would never have laid it before this House. It has been said also that my motion, and the discussion and the vote which might be taken, would intensify the racial divisions which now exist. Well, hon. gentlemen, suppose you have two neighbours who are quarelling all the time, and always on the eve of fighting, you go to them and say "Gentlemen cease your quarelling and try and arrange your difficulties in an amicable way." Could you be accused of intensifying the division that exists between them? That is a parallel case to the present one.

In concluding my main speech I had hoped it would not be contended that the Senate had no right to consider such a question as this. I claimed that such a contention would be contrary to the spirit of our Constitution, and to the intent of the Fathers of Confederation, who established the Senate. I will content myself now by adding that it will be contrary to the precedents established in this country and to the views expressed by some of the most eminent men of Canada and of this Chamber. In 1882, when the question of Home Rule was brought before this Chamber, the objection was made as to the jurisdiction of this House, and the resolutions which were presented were seconded by the hon. member from Halifax. It was the hon. member from Halifax—who was then, as he is now, one of the most useful members of the Senate—who answered the objections and said it could not be contended that the Senate had no jurisdiction and had not the right to make a declaration and pass a resolution in connection with the situation in Ireland. I must admit that I was influenced a great deal by those precedents, and by the opinion of the hon. member from Halifax, in taking the decision that I have taken to bring this motion before the Senate. So that I have reason to be surprised that the same hon. member from Halifax should, in this case, have contended that on a question which is purely Canadian and which interests a great part of our population, we had no jurisdiction and no right to express our views, or even to make a simple prayer. I will repeat what has been said before—that resolutions of the same kind had been adopted by the House of Commons in 1886 and 1887. The same objection was made as to jurisdiction, as to the right of the House of Commons to deal with the Irish question. It was said at that time that that question was within the exclusive jurisdiction of the British Parliament, but when a vote was taken, the resolutions were passed almost unanimously. In the Legislative Assembly of Quebec in 1897—I was then a member of that House to know it took place—resolutions were introduced to congratulate Mr. Gladstone on the Bill which he had brought before the British Parliament on the Irish question. Objection was raised and the Hon. Mr. Flynn, now a judge in our province, met that objection by expressing the same opinion as that expressed by the hon. member for Halifax—that even a provincial legislature had what we call the expressing power. Well, hon. gentlemen, if the House of Commons, if the Senate, if even a provincial legislature had what we call the expressing power, how can it be said that this Senate has not the same right, the same expressing power, the right to consider such a question, which, as I have already said, interests so great a part of our population? And remember, hon. gentlemen, that each time that Irish question came before the House of Commons, before the Senate and before the provincial legislature, it was more than a prayer, because in some of these resolutions the means by which the Irish difficulties might be settled were indicated, while in the present case no means are indicated for the settling of the question we are discussing. When the hon. member for Halifax was speaking—remembering the sympathy which has been expressed so many times by the French Canadians towards their Irish countrymen—I could not help thinking of the famous words of Julius Caesar when he was assassinated. Perceiving amongst his assassins Brutus, who was reputed to be his son, he looked at him and said, "Tu quo qui fili mi," which means in English, "Even you, my son." Well, I was tempted to look at the hon. member for Halifax and say, "Even you, brother." The first part of the amendment offered by my hon. friend from Halifax is similar to the first part of the motion which I moved. That is not an amendment at all. If my motion is objectionable, the amendment of the hon. member for Halifax was equally so.

The last part, because it is based on the assumption that my motion, as amended by the hon. member from Lauzon, suggested a mode by which the present bilingual school difficulty could be settled, and there is nothing in the motion indicating that. The last part of the amendment is contradictory to the first part where it says that those difficulties should be settled so as to preserve peace and harmony in this country, and adds the statement that the Senate should not make any suggestion. So that hon. gentlemen who vote for the amendment of the hon. gentleman from Halifax will be obliged to vote yes and no at the same time. The amendment of the hon. gentleman from Halifax resembles very much the old god Janus who had two faces looking in opposite directions. One of the hon. members of this House said the other day in my presence, and in the presence of some hon. members of this House, that my motion was nothing, and that it could be added to the prayer which the Speaker read every day without doing any harm. I do not think my motion deserves such an honour as to be added to the prayers which are read in this House every day, but that remark shows that my motion must be very unoffensive. I am sure that my hon. friend would not vote against the prayer, so that I do not see how he can vote against the amendment when he contends it deserves to be added to the prayer. Another prayer which we recite every day says "Lead us not into temptation," which means that the hon. gentlemen of this House must be on their guard in order not to be deterred from doing their duty, in order that they may always put country above party, that they may always place justice and fair-play above party and above any consideration. It is not sufficient to pray, hon. gentlemen, but we must practice, and we must give effect to the noble feelings which are contained in the prayer that we recite every day. I do not see how hon. gentlemen of this House can refuse to vote for my motion as amended by the hon. gentleman from Lauzon. Allusion has been made very often to what is going on in Europe and to the war. If the soldiers of France and England who are fighting in the battlefields of Europe knew what was going on at present in Canada, I think they would say, " For God's sake cease your fratricidal quarrels. Be united, as we are, on the battlefields in the interest of the Empire, of Canada, of civilization," and if the fathers of Confederation were present they would take the same position and I am sure would vote for my motion as amended by the hon. gentleman from Lauzon, because they would be obliged to admit that it is in accordance with their views and the views which they held when they created this Chamber. And in order to establish more completely that assertion, I shall repeat the last words of the celebrated speech made by Sir John A. Macdonald when the question of the French language came up. He said:

> In the name of humanity, in the name of civilization, in the name of the progress of this country, I appeal to all our friends in the House, without reference to party, to forget what may be an inconvenience when they go back to their constituents on both sides, to forget that for a moment, and to merge everything in the great desire to make Canada, French and English, one people, without any hostile feeling, without any differenec of opinion. Let us forget this cry, and we shall have our reward in seeing this unfortunate fire which has been kindled from so small a spark, extinguished for ever, and we shall go on as we have been going on since 1867 as one people, with one object, looking to one future, and expecting to lay the foundation of one great country.

In 1890, speaking on the motion to abolish the French in the Northwest Territories, Sir John said:

> We have a constitution now under which all British subjects have absolute equality, having equal right of every kind, of language, religion, property and person.

I leave to your consideration the eloquent remarks of the late chieftain which should be engraved on the front of our Parliament in order to be an example to all future generations.

Hon. Mr. CLORAN—I understand that there are others who have something to say in regard to the new light thrown on the subject especially in regard to the new avenue of thought that has been opened up by the hon. member for DeSalaberry (Hon. Mr. Beique) and also by the very eloquent speech made by my friend from Grandville (Hon. Mr. Choquette) and I would ask the permission of the House to move the adjournment of the debate until to-morrow. We have a very thin House, barely a quorum.

Hon. Mr. DANIEL—I withdrew my motion because the hon. gentleman wished to speak. The continuation of the debate was in my name, but on account of the fact that I am not feeling in condition to take part in the debate, I moved that it should be adjourned until this day week.

and the hon. gentleman having spoken I would insist on my motion, and I make it now—that the debate be adjourned until this day week.

Hon. Mr. CLORAN—Before that motion is put I desire to move in amendment that the debate be adjourned until to-morrow. I want to place myself on record in this matter. The hon. member for DeSalaberry (Hon. Mr. Beique) has made a very important statement and has given to the Senate and the country a new idea which will startle all educational circles of Canada, especially in the province of Quebec. I do not suppose that many of the members "caught on" but it is of importance that it should be thoroughly understood.

Hon. Mr. TAYLOR—I rise to a point of order and the hon. gentleman will kindly take his seat. The only question on which the hon. member can speak now is on the motion for adjournment.

Hon. Mr. CLORAN—I am giving reasons why the adjournment cannot take place. Can he not understand that?

Hon. Mr. TAYLOR—We will have the point of order decided first.

Hon. Mr. CLORAN—There is no point of order. I am giving reasons why the adjournment should not take place.

The SPEAKER—I decided that the motion was carried.

Hon. Mr. CLORAN—The hon. Speaker cannot decide anything sitting down. He must stand up and put the question.

The SPEAKER—I did rise.

Hon. Mr. CLORAN—No, you did not.

Some hon. GENTLEMEN—Order, order.

The SPEAKER—I rise to my feet and now I have decided that the motion is carried.

Hon. Mr. CLORAN—I appeal from the decision of the Chair if I have to stand alone. I want no unfair play of this kind from any one on the floor of the House or from the Chair.

The SPEAKER—Order.

Hon. Mr. CLORAN—I appeal from the decision of the Chair.

Hon. Sir MACKENZIE BOWELL—Order.

Hon. Mr. CLORAN—The hon. gentleman has no right to call order.

Hon. Mr. POWER—The motion to appeal is not seconded.

Hon. Mr. CLORAN—I am not surprised, but the facts are plain.

ADULTERATION ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (114) An Act to amend The Adulteration Act.

(In the Committee.)

Hon. Mr. BOSTOCK—Has my hon. friend the leader of the House any remarks to make upon this Bill?

Hon. Mr. LOUGHEED—As I said yesterday, the Bill introduces no new principle into the law. We legislated on this question in such a way last year as to render the Act very largely impracticable. The object of this Bill is to adjust the law to the conditions which we really have to face, so that we may be able to carry into effect the object that we have in view. I have before me the legislation of last session. There is no difference whatever in the principle. The principle of the Bill of last session was that the word "maple" should be used and made applicable only to pure maple products. Through an error in the legislation we enacted, the word "maple" could not be used as to maple products at all, and this Bill is meant to correct that error as well as to make the Act more practicable. It also increases some of the penalties.

Hon. Mr. BOSTOCK—I should like to draw my hon. friend's attention to a small matter in connection with the side note. It refers to the manufacture of adulterated maple sugar or maple syrup. It would look as though we were trying to make them manufacture adulterated stuff.

Hon. Mr. LOUGHEED—When the Bill was introduced into the Commons the view of the Department of Inland Revenue, charged with the administration of the Adulteration Act, was that the Bill should be made more elastic than it was last session, so as to permit of the manufacture of compounds or imitations of maple syrup so long as those compounds or imitation products were properly marked indicating what they contained. When the Bill reached the House of Commons the House did not view that policy favourably. They thought it desirable in the public interest that there should be no compounds.

Hon. Mr. BOSTOCK—Hear, hear.

Hon. Mr. LOUGHEED—But that the Bill should be even less flexible than it was last session; so that now the policy of this Bill is to confine the products of maple sugar and syrup to the pure and unadulterated article.

Hon. Mr. BOSTOCK—Should we not change the side note, which is rather misleading?

Hon. Mr. LOUGHEED—The side note is not part of the statute. However, the side note would be correct; it deals with the manufacture of adulterated maple syrup or maple sugar because it prohibits it. The side note simply indicates what is the object of the section.

The clause was adopted.

Hon. Mr. WATSON, from the committee, reported the Bill with amendments, which were concurred in.

Senate adjourned until three o'clock tomorrow.

THE SENATE.

Friday, April 9, 1915.

The Acting SPEAKER (Hon. Mr. Bolduc) took the Chair at Three o'clock.

Prayers and routine proceedings.

ALIEN POPULATION IN PORCUPINE DISTRICT.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Has the attention of the Government been called to a leading article in the Montreal Herald of the 3rd of April, 1915, commenting on the conditions existing in the Porcupine district among the alien population there, and stating that considerable sums of money are being sent out of Canada by these people to Austria and Germany?

2. What steps are being taken to stop these people drilling and from sending money out of Canada as therein mentioned?

Hon. Mr. LOUGHEED—I have received the following answer to the hon. gentleman's question:

In answer to your note of yesterday I beg to say that special officers detailed by me have investigated conditions in northern Ontario, including Porcupine, periodically since the commencement of the war, and

(1) Whilst there are a comparatively small number of subjects of Germany, and a larger number of those of Austro-Hungary in the employ of the mining companies, they are all reported to be peaceably inclined and in no way a menace. Many of these have savings in the various local banks, the result of thrift and industry, but there is no evidence that they are sending money to Germany or Austria, in fact it is next to impossible for them to do so.

(2) The men arrested for drilling at South Porcupine belonged to a society known as the "Polish Falcons Alliance of America," an organization founded 23 years ago in this country for the purpose of accomplishing the political freedom of Poland, and has nothing to do with the present war situation. The majority of its members are of Russian nationality. Their drilling is done without arms, and with no sinister intent.

(3) The attempt to destroy a magazine of the Nipissing Mines Company was the work of a German Pole, crazed with drink, who had been dismissed by that company, and was done for revenge.

The whole situation is well in hand and there is no cause for uneasiness.

ABSENCE OF SPEAKER LANDRY.

INQUIRY.

Hon. Mr. CHOQUETTE—I desire to call the attention of the Government to a rumour emanating from this House and circulating in the country that the Hon. Speaker of the Senate has sent in his resignation. I should like to know if the rumour is correct, and, if so, the reasons for the resignation. We have a right to make this inquiry because it is a public matter, and yesterday we were told by the Clerk of the House that Hon. Mr. Landry, our Speaker, was unavoidably absent, and the leader of the Government moved that the hon. senator from Lauzon take the Chair. It appears now—and I know personally—that the Speaker is not absent but is in his room in this building, and according to our information, has been in negotiation with the leader of the Government, with the Clerk of the House and with the temporary Speaker. If the rumour is correct the House would like to know if the Government is going to accept the resignation and to replace His Honour permanently.

Hon. Mr. LOUGHEED—The Government has no information whatever as to what the intentions of the Speaker are, or as to the reasons of his absence, save and except the fact that the Clerk of the Senate announced in his place yesterday that the Speaker was unavoidably absent, and in pursuance of that statement, the Senate, according to law, appointed a Speaker during his absence.

THIRD READINGS.

Bill (106) An Act to amend the Representation Act, 1914.—Hon. Mr. Lougheed.

Bill (114) An Act to amend the Adulteration Act.—Hon. Mr. Lougheed.

CANADA GRAIN ACT AMENDMENT BILL.

COMMONS AMENDMENTS CONSIDERED.

The Orders of the Day being called:

Consideration of the amendments made by the House of Commons to Bill (S), An Act to amend the Canada Grain Act.

The House resolved itself into a Committee of the Whole to consider the amendments.

(In the Committee.)

Hon. Mr. LOUGHEED—This Bill originated in the Senate. In clause 2 we made provision for certain things. I will read subsection 4 of section 2:

No grain shall leave a terminal elevator without being officially weighed, and the official certificate of weight shall be conclusive evidence of the weight of such grain.

Upon publicity being given to this Bill after it reached the House of Commons, it was strenuously objected to by carriers, and transportation companies, who might possibly find themselves confronted in the transport of grain by a certificate which would be conclusive evidence against them in the event of a shortage. Representations were made to the Minister of Trade and Commerce as to their interest being prejudiced, and as to no method being adopted whereby there could be an adjustment, should a substantial shortage be found. In consequence of these representations and objections certain amendments have been made to this clause. Substantially the amendments are that should a shortage be made apparent in the transport of grain from a western terminal elevator to an eastern port, or to an eastern elevator, and should that shortage be of a substantial character, the Government, through the Grain Commission, should adjust that difference and ascertain wherein the shortage occurred. Possibly a mistake might occur at the point of shipment, as it very often does. Very naturally the carrier would object to being held responsible for any shortage in the quantity of grain that the shipper claimed to have delivered to him. Therefore it is proposed in the amendment which we have made that this difficulty should be settled as indicated in the amendment.

Hon. Mr. DAVIS—This Bill originated in the Senate and we agreed to its provisions, but since it was sent to the House of Commons, for some reason the Government has seen fit to amend it by adding a couple of sections which practically do away with any value it might have. With reference to the handling of grain in the West, I cannot understand how the Government came to make the shipper a party to the loss if there should be any. As a matter of fact the grain is loaded on the cars at the loading platform, or at the elevators in the West. It is then sent to Port Arthur or Fort William. When it gets there if there is any leakage or loss on the way by reason of seals being broken off, the party who ships it would have a claim against the common carrier that took that grain to Fort William. After the grain arrives at Fort William it is taken charge of by the Government, who have supervision of the elevators at Fort William, and own some of them. The weight given by the Government must be accepted by the shipper no matter how much he may lose, whether it be one bushel or fifty bushels, or a thousand bushels. The Government gives him no credit for that, and it is a matter between him and the carrier that takes it to Fort William. After that it is handed over to the Government, is weighed by the Government, and weighed into the elevator. Now I fail to see where the shipper should be made a party to this transaction. The Government have charge of it, they have their own men, they are in control and the shipper has no charge of it. He cannot go inside the elevator; he has nothing to do with it. He has a receipt for so much grain weighed by the Government, the Government load that into a boat and it is transported to an elevator across the lakes. When it gets across the lake in that boat and is loaded into the elevator on the other side if a shortage is found, why should the shipper, who in the first place put his grain into the elevator, be held responsible for that shortage? If the Government made a mistake they should be liable for that mistake. If they employ incompetent men—and in some cases they must, because they do not pay sufficient salaries—why should they not be held responsible? There is as much importance and as much responsibility, or even more, in connection with the weighing of that grain at Port Arthur as there is in the management of a bank, yet you will find that the men who weigh the grain are getting only $75 a month for doing work which involves the handling every month of millions and millions of bushels of grain worth millions and millions of dollars. If they

load too much into the boat and it goes across—which has sometimes happened—we never hear anything about the excess in weight, as the people who get it in most cases say nothing about it. But if the reverse is the case, and the load is not sufficient, it is quite another affair. The grain is weighed on the east side of the lakes, where we can have no control over the weighing, and if a shortage is found, they come back and demand that the shipper, the Government and everybody connected with it be held responsible. That is not fair or reasonable. The shipper cannot possibly be responsible for the shortage. His grain goes into the elevator and he gets a receipt, and if afterwards it is found short it is a matter between the elevator and the platform man at Fort William or Port Arthur. If there is a shortage there, he has to look after his carriers, and he has to take a receipt from the Government for it. Why should he be held responsible because mistakes are made by Government employees in shipping it out.

Hon. Mr. LOUGHEED—May I point out to my hon. friend that the shipper is the owner of the cargo. The grain is shipped from the terminal elevator and sent to some eastern port. Why should the position of the shipper of grain be different from that of any other shipper—that is to say, if a mistake has arisen.

Hon. Mr. DAVIS—He is not responsible for a mistake.

Hon. Mr. LOUGHEED—We are not talking of the small shipper who ships from some place in the West, but the shipper who owns the cargo.

Hon. Mr. DAVIS—But this Act covers all the shippers.

Hon. Mr. LOUGHEED—No, no, simply the owner of the cargo.

Hon. Mr. DAVIS—Then take the large shipper. Is the Government guarantee worth anything or is it not? The Government has assumed the responsibility of weighing its grain and taking it into an elevator, and getting a receipt for it.

Hon. Mr. LOUGHEED—But all certificates are susceptible to human infirmity; there may be a mistake, and if there is a mistake, surely my hon. friend will concede that there should be some right of rectification. It is only reasonable that that should be so. Let us assume that the shipper is shipping to Port Colbourne 100,000 bushels of grain, and through some mistake only 50,000 bushels have been shipped, and he receives a certificate for 100,000, is it reasonable that he should say to the carrier, "You must account for 100,000 bushels, notwithstanding the fact that only 50,000 were shipped?

Hon. Mr. KERR—On the other hand, the answer to that is this: supposing the shipper ships 100,000 bushels of grain and gets his receipt for 100,000 bushels of grain, and that grain goes forward, passes through the hands of the different people mentioned in this Act, and ultimately between some of them a slip has been made and they have not the 100,000 bushels but only a part of it, why should the man who delivered the 100,000 bushels be called upon to contribute to make good the loss.

Hon. Mr. LOUGHEED—He is not called upon.

Hon. Mr. KERR—Yes, it says it has to be borne amongst them. They shall have power to assess or apportion the loss arising from such shortage amongst the elevator men, water carriers, shippers, etc.

Hon. Mr. LOUGHEED—That is after the inquiry has been made.

Hon. Mr. KERR—Assume the shipper can show that he did deliver the proper quantity where he did deliver it, still this may be apportioned among these people as the commission think proper.

Hon. Mr. WATSON—And it is entirely out of the control of the shipper.

Hon. Mr. KERR—Entirely out of his control. The man who is able to show he delivered a certain quantity is the man who is entitled to be relieved. There should be no right to assess him for any portion of the loss unless it could be shown that he was the sinner.

Hon. Mr. LOUGHEED—My hon. friend is a lawyer and will appreciate the reasonableness of an investigation being made to ascertain wherein a mistake or fraud may have occurred, and my hon. friend will see that under the Bill the certificate which he receives under clause 2 subsection 4 is final, subject to section 120 of this Act. Section 120 of the Act makes provision for such an inquiry and investigation that would take place by a court and reads as follows:

"The board shall receive and investigate all complaints in writing under oath.

(a) Of untrue dockage, improper weights for grading.

(c) Of fraud or oppression by any person."

Covering every feature that might arise that would enter into the investigation or inquiry and precisely as a court would make it. Let us consider an analogous case. Suppose that a shipper ships some other article that does not come within the Grain Act, and he claims that he shipped a certain quantity to a certain destination, and the carrier at that destination claims that he did not receive the quantity shipped, and the court investigated it: his remedy, or redress, would be through some judicial tribunal. The tribunal would inquire and find out wherein the mistake or fraud happened. Why should not that principle be applied to shipment of grain in bulk? That is all that is being done. The Grain Commission is made a tribunal for the purpose of making the widest investigation to ascertain wherein this mistake occurred, so that the loss will be thrown on the parties responsible for it.

Hon. Mr. WATSON—I should like to ask the hon. leader, who knows something about the Grain Act, as he had charge of it a few years ago, what control has the shipper of the grain after it is received in the grain elevator at Fort William? He has nothing to do with it.

Hon. Mr. LOUGHEED—It is not the small shipper we deal with. In this case it is the man who ships the cargo——

Hon. Mr. CASGRAIN—The owner of the cargo.

Hon. Mr. LOUGHEED—Yes, who ships his grain to some distant part.

Hon. Mr. WATSON—The shipper has no control of that shipment of grain. If you want to divide the shortage and the surpluses it seems to me it is between the terminal elevator at Fort William, which loads the grain under the supervision of the Government, and the carrier, and the elevator at the other end who receives it. The man who owns the cargo has nothing to do with it——

Hon. Mr. LOUGHEED—Yes, because he ships it.

Hon. Mr. WATSON—But his officials do not ship the grain. The elevator loads the cargo. The elevator man is the shipper, and the Government is responsible. Certainly the shipper has no recourse against the elevator at Fort William for shortage if he ships grain from an interior port to Fort William.

Hon. Mr. LOUGHEED—This only deals with the terminal elevator at Fort William, and shipments from Fort William to eastern elevators or eastern points. The shipper from any of those elevators in the interior of the country is not included. We are now dealing with a man who ships a cargo of grain from Fort William or Port Arthur to some eastern point. All that the Act deals with is, if there is any difference between the shipment and the certificate which the shipper gets at the time, then the difficulty should be adjusted by some competent tribunal. Would my hon. friend throw responsibility entirely on the carrier?

Hon. Mr. WATSON—The terminal elevator at Fort William or on this side of the lakes or the carrier should sustain the loss, because the shipper has nothing to do with the handling of the grain, and nothing to do with loading the cargo. The shipper is entirely innocent and has no control over the shipping of the cargo; the Government have control of the terminal elevators and weighing. You say the certificate of the weighmaster shall be evidence of the cargo loaded. Why bring in the shipper who has nothing to do with the loading of the grain?

Hon. Mr. LOUGHEED—He is the man who does it.

Hon. Mr. TAYLOR—I am very well acquainted with this matter, having been in the grain business. This Act does not affect the farmer or seller.

Hon. Mr. WATSON—I am not claiming it does.

Hon. Mr. TAYLOR—I am a grain exporter. I have agents all over the West buying grain. It is shipped on the platform cars from the interior to Fort William. I am the owner of several hundred thousand bushels at Fort William. I sell a cargo to a man in England. I order a vessel to be loaded with grain at the elevator at Port Arthur and shipped out. I am the shipper and I own that grain, and I order 500,000 bushels shipped out. It is loaded into a vessel to be transhipped again at Montreal, so that I must get the weight at Montreal when it arrives there, the same as it left Port Arthur. That vessel passes through a series of canals coming down. Supposing some night when the vessel is lying in the canal the crew or somebody else steals 50 or 100 bushels, who is to settle for that?

Hon. Mr. WATSON—The lake carrier would have to lose that.

Hon. Mr. CHOQUETTE left the Chair, and was replaced by the Hon. Mr. Ross (Middleton).

Hon. Mr. TAYLOR—The captain of the vessel knew nothing about it. The vessel when it was unloaded in Montreal was 50 or 100 bushels short. The captain said, "I shipped 500,000 bushels at Port Arthur, and I have delivered here to you." It could not be proven. The Grain Commission would investigate and they would say the vessel was responsible for the whole thing.

Hon. Mr. CASGRAIN—That is right.

Hon. Mr. WATSON—Of course.

Hon. Mr. TAYLOR—But if there was none taken out and the vessel fell short 100 or 500 bushels at Montreal, then this commission would settle whether the vessel or the terminal elevator that unloaded it was responsible.

Hon. Mr. CASGRAIN—Or the shipper.

Hon. Mr. WATSON— Where does the shipper come in?

Hon. Mr. TAYLOR—The shipper owned it and he should stand his proportion.

Hon. Mr. DAVIS—What for? Why?

Hon. Mr. TAYLOR—If there was a shortage he is certainly responsible for his proportion. If it was proven that the elevator made a mistake, because he had the bins full in the elevator there, and if the elevator made a mistake and did not put in 500,000 bushels, the shipper should be responsible, certainly.

Hon. Mr. CASGRAIN—Perhaps the shipper might not have given the order to ship 500,000 bushels; he might have given orders to ship only 480,000 bushels.

Hon. Mr. TAYLOR—We do not know what tricks might be played between the shipper, the owner and the elevator man. He might say, "I have sold 500,000 bushels; you ship 480,000 bushels."

Hon. Mr. CASGRAIN—That is it.

Hon. Mr. TALBOT—The hon. member who has just taken his seat says that this Bill does not affect the farmer. I think perhaps it does. The Senate, a couple of weeks ago asked for a return from the Railway Commission showing certain things—surpluses and shortages in the elevators. On looking over that return I find there are some very, very peculiar things. For example, in the Canadian Pacific Railway elevator "B" I find that the surpluses in wheat amounted to 132,397 bushels and 50 lbs. I find that in oats the surplus was 160,910 bushels, the surplus of barley was 8,183 bushels. The surplus in mixed grain was 1,037 bushels. There was a deficit of 6,000 bushels of all the kinds of oats. Then I find in the Empire and Thunder Bay elevators the surplus was 129,365 bushels of wheat, and no deficits in barley or oats of any kind. I find that in the consolidated elevators there was a surplus of 17,928 bushels of wheat. There was a deficit on oats of 10,000 bushels, but there was a surplus of over that on other kinds of grain. In the Ogilvy elevator the surplus of wheat was 11,746 bushels. The surplus of oats was 6,798 bushels and of barley there was a surplus of 1,898 bushels. There was a surplus all through and no shortage. When my hon. friend says the farmers are not suffering from this, I claim that they are, because I think the commissioners are making up the losses which may occur in transit by taking it out of the surpluses that they find in these elevators.

Hon. Mr. TAYLOR—I understand that the farmer sells subject to weight at Port Arthur.

Hon. Mr. LOUGHEED—The farmer has nothing to do with this. My hon. friend will see that we are only legislating now as to shipments from terminal elevators to eastern ports. Look at clause 4 of section 2 of the Bill which we are now considering, "No grain shall leave terminal elevators without being officially weighed."

Hon. Mr. DAVIS—I want to draw the attention of the hon. member to the statement made by the Trade and Commerce Department with reference to this matter. They should know more about it than any person else because they have charge of the shipping. What was said about it when this matter was discussed? The Minister of Trade and Commerce said:

> The shipper puts his grain into the hands of the Government at Fort William, and it goes into the Government elevator or into elevators which are supervised by the Government. The shipper has no power inside of these elevators; his grain is delivered in trust to these warehouse men. When the grain is ordered out of the warehouse it is weighed out by the elevator into a boat, and the shipper has nothing to do with that operation, which is under Government supervision, or under Government management. The weight of the grain that is

put in the vessel is therefore given by the Government weighman, and with that grain and that weight the carrier goes on his journey to the eastern elevator. The grain is then weighed out into the eastern elevator, but it is weighed out without Government weighmen and without Government supervision; it is weighed out by the elevator itself into its elevator. If that weight and the weight given at Fort William should agree, there is no trouble between the carrier and the elevator, but if the weight given by the in-weighing or receiving elevator is 1,000 bushels short, then, under past conditions, the carrier had to make up that shortage. The carrier reasoned in this way: that he received from the Government a certain weight of grain at Fort William, that he did not throw it overboard or lose it in any way; but when it was weighed in at the eastern elevator it was short, although he contends that he delivered to the receiving elevator just as much as he got at the loading elevator. Consequently, he demurred against the payment of the shortage. His ground of attack was, that there must be something wrong with the weighing at the loading elevator or there must be something wrong with the weighing at the unloading elevator.

That is a clear statement that when the grain is put in the elevator it is put into the hands of the Government and the Government weigh it in and the Government give credit and ship it out again, and they have supervision over the shipping of it out when it is put into the boat and carried to the other side. The matter in dispute is between the carrier and the Government and it is my contention that the shipper has nothing to do with it.

Hon. Mr. LOUGHEED—The terminal elevator need not be a Government elevator.

Hon. Mr. DAVIS—The Government has supervision over all the terminal elevators, therefore the Government is responsible. My hon. friend will not say that the man who is weighing the grain is an agent of the shipper.

Hon. Mr. LOUGHEED—He may be.

Hon. Mr. DAVIS—If the shipper was handling his own grain then he might be responsible, but when he puts the grain into the elevator, the Government become responsible to him. Why should there be any difference between this and any other line of business?

Hon. Mr. LOUGHEED—Suppose a shipper should say to a weighmaster, now I have 500,000 bushels of grain, I want to ship out to an eastern point and I want you to issue a certificate for 500,000 bushels but only weigh out 400,000 and I will divide the profits with you. That would not be an extraordinary case of fraud as frauds are perpetrated in matters of that kind. Does my hon. friend mean to say that there should not be some machinery by which a fraud of that kind could be investigated and the responsibility thrown upon the proper party?

Hon. Mr. DAVIS—If there are twenty shippers of grain do you claim that nineteen of them should be mulcted in loss because the Government happens to have a dishonest employee who makes a wrongful entry to oblige one shipper. We assume that the Government has honest shippers. The fact remains that the grain has to be received by the Government and that the Government ship it out. The Government have assumed control and are responsible for the weights. I assumed when we agreed to that Bill that the Government weight was final. If I ship anything else by railroad the railway company take possession and are responsible.

Hon. Mr. LOUGHEED—No, they are not.

Hon. Mr. DAVIS—If I put a certain commodity into a car and that commodity is not delivered, I can come back on the carrier for the loss. My hon. friend from Leeds (Hon. Mr. Taylor) said the sailors might steal articles from a boat, but supposing they did, would not the owner of the vessels who employed these sailors be responsible?

Hon. Mr. LOUGHEED—If it could be proven.

Hon. Mr. DAVIS—If there is a dispute as to how much grain is delivered that dispute should be between the company and the elevator that put it into the boat. The shipper should have no responsibility. He puts his grain into the elevator and he has to accept whatever certificate the Government gives him. He is not entitled to make his own weights. If there is any loss between the point of shipment and the Government elevator, he has to make that up or get it from the railway company, but I submit the shipper has a right to get his grain after it goes into the elevator.

Hon. Mr. CASGRAIN—The hon. gentleman is apparently labouring under a misapprehension. There is no use alluding to the line from Winnipeg to the central elevator because that is not affected. It is true that a certificate is given for grain that is put into the elevator, but it does not necessarily follow that every time the owner of the grain wants to ship that he will ship every bushel he has in the elevator. He may, if he so desire, ship a fraction of what

he has in the elevator. I have been at Port Arthur when ships were loading and I have seen them go to one elevator and take on a certain quantity of grain and then to another elevator and take on more. The ships move from elevator to elevator and it is possible a mistake might be made: the ship might take on more than the right quantity at one elevator, and take on less at another elevator than they should. The Bill does not make it necessary that any body shall be mulcted unjustly; or will lose in any way; all that is desired is that there shall be an investigation and that this board shall try and find out where the error has taken place if an error has occurred. The hon. member for Saskatoon (Hon. Mr. Davis) quoted the words of the Minister of Trade and Commerce. These words were uttered by the minister before he saw that the Bill should be amended, but he was convinced that it was not right, and that is why the Bill has been amended, and therefore these words are no longer applicable. The idea is that prima facie a certificate for so many bushels of grain is good as far as it goes, but the onus of proving that the quantity has been received is upon the carrier in the first place. He is supposed to have received it, and if it is found that there is a shortage it is up to him to prove that he did not receive the grain. Any one shipping a large quantity of grain might easily make a mistake. He might telegraph to Fort William to send so many bushels and there might be an error in the telegram and the instructions might be to ship a less quantity than he had intended. When the grain arrives at Montreal if a shortage is found surely the party responsible for the mistake should be expected to rectify it.

Hon. Mr. WATSON—What about an over-quantity?

Hon. Mr. CASGRAIN—Surely the shipper would be very glad to say he had something to do with the mistake. The shipper could say, "I have made a mistake." He could go to this board just as well as the carrier, and say I have made a mistake, I intended so many bushels to go, and I find out by some error, for instance the telegraph operator made a mistake and misquoted the figures; I have shipped more. Then take the reverse case: suppose there is a shortage on delivery in Montreal. The carrier can say, "I want to have an investigation." Is there anything fairer than that? Since we have proven that the shipper could make a mistake why should he not be called in? Then the board will assess only the guilty party and nobody else.

Hon. Mr. DAVIS—Supposing they do not find the guilty party?

Hon. Mr. CASGRAIN—I take it that the board cannot assess anybody if they don't find the guilty party.

Hon. Mr. KERR—The showing of surpluses in these elevators makes it plain that the elevators take care to get at least as much as they give certificates for.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. KERR—If that were not so, and if it was not because they take so much care about that, they would not have a surplus. Their certificates would cover all that they really had there.

Hon. Mr. TALBOT—Out of whom does the surplus come?

Hon. Mr. KERR—I was going to say that the elevator takes care of itself when it receives the grain, and the shipper has no way of determining any more about it. All that he knows is that whether there was a shortage or a surplus, he got only what he was entitled to get paid for—what he was entitled to hold as his property.

Hon. Mr. LOUGHEED—But my hon. friend will admit that if there is a manifest case where a mistake has been made in favour of the shipper, there is no reason why some tribunal shall not adjust it. Will my hon. friend say why the carrier should be charged up entirely with the shortage or loss that may have taken place?

Hon. Mr. KERR—Because the carrier, when he received that, acknowledged the receipt of it; it is his own business; it is his own elevator, it is his own weighing.

Hon. Mr. LOUGHEED—No, he has nothing to do with the elevator.

Hon. Mr. KERR—He has his own employees, or the Government's?

Hon. Mr. LOUGHEED—I am asking the hon. gentleman to consider the human infirmities that will enter into a transaction of that kind where a manifest mistake occurs. Then shall the man or party who would benefit by the error take advantage of it?

Hon. Mr. KERR—Certainly I am not saying that he should.

Hon. Mr. LOUGHEED—That is all the Bill provides for; the Bill simply provides

that where a shortage of that kind occurs the Grain Commission shall be a tribunal to investigate and adjust the mistake which has arisen.

Hon. Mr. KERR—That is all right enough, but bear this in mind, that the shipper, by the receipt which he has received, cannot get any more than that receipt shows. He has only got to deal with his one shipment, whereas the carrier is dealing with a large number of shipments, on which evidently there is an excess beyond what he issues receipts for. These returns that have been read show that. The carrier then gets the benefit of that surplus, but when there is a shortage he goes back to the shipper and says "Oh, you must contribute."

Hon. Mr. LOUGHEED—Let me illustrate to my hon. friend. Let us assume that a depositor pays into a bank say $100,000, and receives credit in his book of deposit for $125,000, and it is determined afterwards that a mistake has arisen; the bank is at liberty to show that the depositor did not really deposit that amount, and that an error had arisen. The bank is entitled to say to the depositor, "This mistake has arisen, and we have the right to have it rectified against you." That is all this Bill does.

Hon. Mr. WATSON—Would the hon. gentleman or the gentleman behind him suggest for one moment that a shipper who ships his grain to a terminal elevator at Fort William or Port Arthur and orders it out of that elevator as he sees fit could possibly, by any means, get a bushel more out of that elevator than he delivers to the elevator?

Hon. Mr. LOUGHEED—No, he should not.

Hon. Mr. WATSON—Then why should you ask that man to become responsible for any loss that may occur between that elevator, the carrier, and the elevator on the other side of the lakes? That is what you are asking us to sanction. You are asking that the shipper should be considered in adjusting losses. I do not suppose he would ever hear of an overage, but he may hear of a shortage. Now the elevator at Fort William or Port Arthur would say that the grain is weighed into the ship there by the Government elevator man, a Government official taking charge of it, and you must assume that those people are dishonest, because unless they attempted to steal the grain by getting rid of it in some other way, the grain must be either in the boat or the elevator. If that is the case—and these elevators evidently are protesting themselves against overages as appears by the statement read here to-day, I venture to say that when this Grain Commission get busy they will find these overages are accounted for by the fact that they have not shipped the cargoes that they represent they have shipped, and that is why the surpluses occur.

Hon. Mr. CASGRAIN—That is it.

Hon. Mr. WATSON—My hon. friend says, "That is it." Exactly, then the elevator should be held responsible, not the shipper, who have no right to claim for any overage. You have the elevator at either end, and the carrier that has to handle that grain. If there is an overage, it is either in the elevators or on the boat. It may not be on the boat, but the shipper has no control, nothing to say about the shipment, nothing to say about the cargo, has no right or interest in the overages; in fact, I venture to say that he never would need this Act, and yet you try to suggest that he has something to do with the shortage. It appears to me that this sort of paternal legislation is for the purpose of looking after the water carriers, who are efficiently looked after in this debate. I think they are quite capable of looking after themselves. When this Bill was introduced in the Senate a few days ago, I had no objection to making the certificate final, but I did at that time suggest that the carrier, the boatman, the captain, should have some supervision over the loading of his cargo.

Hon. Mr. CASGRAIN—How can he?

Hon. Mr. WATSON—I do not know. Let the Government work that out, but for God's sake do not ask the shipper to be responsible for the mistakes that occur between the elevator and the common carrier.

Hon. Mr. CASGRAIN—Investigate where the error took place.

Hon. Mr. WATSON—Let them investigate between the elevator and carrier, not the shipper, who has nothing to do with loading the cargo or weighing. I contend that the word "shipper" ought to be struck out of this altogether. It is paternal legislation, trying to protect the interests of the water carrier. Let the Government

get after those elevators at Fort William that have reported surpluses of nearly 500,000 bushels. If there is any shortage on the lakes, let those elevators make it up. They will have the benefit of the surpluses: let them stand the losses in weights, because it must have been in the weights. They either defrauded the shipper that was shipping the grain into the elevator at Fort William, or defrauded the boat by not shipping out a full cargo. There must have been some mistake there, or there would not have been those surpluses.

Hon. Mr. TAYLOR—In reference to those surpluses, I wish to explain. The elevators receive from the cars; they weigh in, probably, fifty bushel drafts; they ship out in 500 bushel drafts. Why would there not be a surplus? Many years ago, when I was in the grain business, we shipped out by the carload and the carrier was responsible for the shortage, if there was a shortage, and he had the surplusage. In a cargo of 5,000 to 8,000 bushels he would generally have ten or fifteen bushels of overage, because I weighed it in 50 bushels at a draft and it was weighed out 500 bushels at a draft on the other side; therefore there was always a surplus. The elevators would not be doing business if they did not have a surplus, weighing it out of a car in 50 or 100 bushel drafts and shipping it out in 500 or 1,000 bushel drafts. That accounts for the surplus.

Hon. Mr. WATSON—Do not you think that one elevator having an average of 138,000 bushels is a little too large a surplus to have?

Hon. Mr. CASGRAIN—What percentage is that—on how many million bushels?

Hon. Mr. TAYLOR—It would not be too large a surplus if they shipped many millions of bushels. By taking it in small drafts and shipping it out in large drafts there is the turn of the scales every time in your favour. As to how it would affect the farmer, the farmer is paid at the elevator; he has sold by the carload at Winnipeg, delivered at Fort William, and he is paid when it arrives there.

Hon. Mr. DAVIS—Not always. The farmer can ship down there or he can hold it.

Hon. Mr. TAYLOR—Well, he can hold it.

Hon. Mr. DAVIS—They have to give you that much grain.

Hon. Mr. TAYLOR—And they do that, but the shipper that this applies to is the cargo-shipper who is shipping to England, the speculator.

Hon. Mr. DAVIS—What is the difference?

Hon. Mr. TAYLOR—Is there a farmer in the West that ships by the boat load?

Hon. Mr. TALBOT—There is something wrong in that Grain Commission, and I think their report will prove it. On page 103 of the Grain Commission report, appendix B, the report of the official vessel register on the grain elevator situation for the season of 1913 has a peculiar paragraph which reads as follows:

> The Board of Grain Commissioners does not take any responsibility for the figures, facts or opinions set forth in the report. It recommended publication of the report, so that these figures, facts and opinions might be made known to the parties interested with a view to further investigation.

Now, when a commission will give such a report as that—that they have no confidence in what they call facts and figures—I think there is something wrong. I hope the Government will look into it, and I am glad the Minister of Trade and Commerce is taking hold of this thing and trying to do something.

Hon. Mr. DAVIS—To prove my contention I want to read another few words from the Minister of Trade and Commerce in dealing with this subject. He is talking of the terminal elevators at the lakes. He says:

> Take the Government elevator. First, that grain comes to a Government elevator, it is taken out of the hands of the shipper there, it is weighed into the elevator, and the Government elevator is responsible for every pound of grain that comes in. It is responsible for delivering an equal quantity of grain both in weight, and in grade. If the grain is spirited out of the elevator in any way, that is to the loss of the elevator.

Now my hon. friend alludes to a fact; he supposes a certain case—that there might be a dishonest operator in a Government elevator who would connive with the shipper to ship out 400,000 bushels of grain instead of 500,000 as ordered. I would like to ask my hon. friend if it would not be just as reasonable to suppose that a dishonest captain of a ship could run his boat up alongside another and hoist a lot of that grain up out of the vessel.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—Then why should the shipper be held responsible?

Hon. Mr. LOUGHEED—He is not held responsible any more than the carrier or operator. The legislation covers all parties concerned with a view of investigating and finding out what party or parties should bear the shortage, that is to say, between the outgoing elevator, the receiving elevator, the carrier, the shipper and the operator. Now it might be that all parties would have to bear a proportion of the shortage.

Hon. Mr. DAVIS—If my hon. friend would cut out the word "shipper" and take the responsibility off him, and investigate as between the receiving elevator, the carrier on the lake, and the Government elevator that ships the grain out, I would be quite agreeable to that. We should not insert the word shipper when the grain is taken out of his hands and he has no responsibility in the matter. He orders out 10 or 20 thousand bushels of grain, and the Government says: "All right, we will take that many bushels of your grain and load it in a boat." If that is lost in transit, or there is wrong weighing on the other side, you make the man responsible. The little shipper is the same as the big shipper. There is only one kind of shipper; it makes no difference whether it is a big corporation or a farmer. He puts the quantity of grain in the elevator and gets a certificate for it. If a farmer puts his grain in an elevator and gets a certificate he deposits that certificate in the bank, and if he orders that certain quantity out, and through some stupidity of Government employees, or dishonesty of weighers on the other side of the lake, where the Government has no supervision, or the mistake of a steamboat carrier, why should he suffer for that? I cannot understand it. As to tying the hands of the Grain Commission, the general opinion in the West is that the Grain Commission have more than they can do, and if they were carrying out their functions properly there would not be so much complaint in the West. I will read what a gentleman, whom the hon. leader knows very well, states about the whole transaction. Mr. D. D. Campbell has been acting for shippers for a great many years. He is an old-timer in the West, and well known as a man of sterling honesty. He says:

Dear Sir:

I see that it is expected that the Dominion House will soon open for business, and I understand that there are likely to be some changes made in the Grain Act, and it is possible that the Board of Grain Commissioners may be asking for more power to be given them in dealing with matters that may be all right in some cases, but if I had an hour's talk with you I think I could convince you that there never was a time when more definite action is necessary in securing redress from the errors that are continually occurring, especially in weights, both of car lots, and also in cargo lots.

The farmers and dealers in the West have far more reason to start a rebellion over the weights they are receiving for their grain than there was for the war which is now raging in Europe. You may say we have the Grain Commission to apply to, and in reply I say we have applied to them, but without results, as the facts which I will state will go to prove. I say without fear of successful contradiction, that conditions never were so bad as they are at the present time, and I have been closely in touch with the grain handling for the past thirty years.

A little over a year ago I took up the work of collecting claims for different grain firms, and also for farmers that desired my assistance, and in that time I have secured adjustments in weight for the following amounts of grain, by proving to the satisfaction of those in charge that the weights as issued were not correct.

He has written a very long letter. He suggests that this matter should not be put in the hands of the Grain Commission for this reason: the Grain Commission handle all the grain at the head of the lakes and control all the officials there. If their own officials make mistakes in the handling out of grain, you will leave the matter to be decided and adjusted by the Grain Commission, who are their superior officers. We do not consider that the proper thing. He says:

We require a Dominion Utilities Commissioner with full power to inquire into all troubles arising between the railways and the terminal elevators, who would have full power to give a ruling as to where the responsibility rests, and order an adjustment of same, for the average shipper cannot afford to stand a suit in court with a large corporation. I will state a few cases as an example.

He goes on to show where there were mistakes made in the Dominion Government elevator which is operated by the Board of Grain Commissioners. He says:

So I think you will see that we require an independent party to decide where the responsibility rests, and whose decision would be final and binding on all concerned.

He is opposed to the Grain Commission having the power you are taking in the last two clauses of the Bill. He wants an independent court, if you are going to have any at all, to decide matters of this kind. I must still hold that the shipper has nothing to do with it and that that part should be cut out of the Bill.

Hon. Mr. LOUGHEED—We are now on paragraph 2, subclause 4, clause 2 of the Bill.

Hon. Mr. DAVIS—The objection is to section 128.

Hon. Mr. BOSTOCK—The objection is to the word " shipper " in the 26th line of the Bill in clause 4.

Hon. Mr. LOUGHEED—I move the adoption of subclause 4 of paragraph 2. Where the words " conclusive evidence of the weight of such grain " are striken out and substituted therefor " final, subject to section 120 of this Act."

Hon. Mr. DAVIS—That is all right.

Hon. Mr. LOUGHEED—If any hon. members have other objections to the Bill, I should like to have them discussed so that I could take them up with the department.

Hon. Mr. BOSTOCK—There is objection to that word " shipper " in the two clauses.

Hon. Mr. DAVIS—The Bill provides that the Board may make regulation in regard to shortages and overages of grain, and may assess in such manner and such amount as they deem proper. I think that clause gives too much power to the Board. Supposing you strike out the word " shipper " then you would have power to assess the whole thing against the carrier.

Hon. Mr. LOUGHEED—Some power must be given to the board if mistakes of this kind arise, as mistakes must arise. This law is applicable to every feature of commercial life. Some tribunal must be authorized to adjust matters of this kind. It is said that because it is going to fall heavily on one interest, or another interest, that that is a proper objection to the Bill, but hon. gentlemen, we are dealing with a very important subject. We are dealing with divers interests, interests that are distributed between the carrier, the elevator owners, the operators and others. We cannot omit any of those who are interested. We simply say this tribunal is authorized to make the fullest investigation and adjust the loss.

Hon. Mr. WATSON—The shipper should be eliminated from these risks altogether. He has the least possible chance to protect himself. He delivers his wheat and it is taken charge of by Government officials.

Hon. Mr. LOUGHEED—Would not the same thing apply to the carrier and the elevator owner?

Hon. Mr. WATSON—The carrier and the elevator owner are the people who have the shippers' grain and who are handling it. These surpluses that are referred to in the returns of the Grain Commission, and also referred to by the Board of Grain Commissioners, go to show that the elevator people should be responsible for these certificates. I find in this report that the commission refers to surpluses during the last 12 months as follows:

> During the last twelve months, the registration and cancellation of warehouse receipts has been in the hands of the State, and the figures given for the surpluses of the past year must be accepted by the board. The board consider that the surpluses are too large, and that the possibility of securing large surpluses, and the privilege of selling these surpluses for their own advantage, constitute a temptation to terminal elevator companies. The board are, therefore, strongly of the opinion that the sources of these surpluses should be re-arranged, in so far as the board has legal authority to make such re-arrangement.

Surely these surpluses should go to make up deficiencies in the cargo. These elevators are allowed to sell these surpluses for their own benefit. We have had reports made that there are practically no shortages, but over half a million bushels of surpluses. Surely the elevators should take the responsibility with the vessel owner, and adjust these matters between themselves and they should be responsible. I claim that a shipper has no interest, and should not be considered by the commission as having any interest.

Hon. Mr. CASGRAIN—Supposing I am a shipper from the West, and I know that I have shipped so much and get a receipt from the terminal elevator at Fort William, and there is a mistake in that receipt, if I know there is a manifest mistake have I got to accept that certificate?

Hon. Mr. TALBOT—You have to take it, and you have absolutely no redress.

The CHAIRMAN—I am afraid you are discussing something that is not before this House. The Bill that was sent from this House to the House of Commons has been returned and the copy we are discussing is not the proper copy. I think it will be better to wait and have it printed.

Hon. Mr. BOSTOCK—Page 444 of the Minutes contains the clause we are dealing with and the word "shipper" occurs in the same way as in the Bill we had before us.

Hon. Mr. LOUGHEED—The word shipper does not occur in the first amendment and I move the adoption of that amendment.

The motion was agreed to.

Hon. Mr. LOUGHEED—The next amendment is on page 1, line 15. The point in controversy does not arise there, and I move the adoption of that clause.

The motion was agreed to.

Hon. Mr. LOUGHEED: Then we come to clause 4:

The said Act is further amended by adding the following section after section 120:

"120a. The board shall also receive and investigate all complaints in writing under oath, of any shortage in grain, upon the delivery of same from an elevator to a vessel or from a vessel to an elevator, and shall have power to assess or apportion the loss arising from such shortage, amongst the elevator operators, water carriers, and shippers, having to do with the said grain.

Now, as I understand it, hon. gentlemen take exception to the word "shipper" in that section. I would suggest to them that if they think there is any ambiguity about the word "shipper" that should be cleared up. The word should be included, but if there is any doubt as to the meaning of the word "shipper" there should be some interpretation placed upon it. The intention is not to affect the man who ships from an internal elevator, but the man who ships from the terminal elevator, the owner of the cargo. As I read the Bill it can only affect the owner of the entire cargo. I presume that if the word "shipper" had been left out, and we had depended on the word "operator" it might have covered the situation equally well. The sympathies of my hon. friend seem to be aroused on behalf of the small shipper.

Hon. Mr. DAVIS—No, we mean all shippers.

Hon. Mr. BOSTOCK—The idea is that the shipper is the man who has put the grain into the terminal elevator and who holds a receipt for the grain.

Hon. Mr. LOUGHEED—No, he may be a man who buys. The operator goes on the market and buys. Say I have a thousand bushels in a certain elevator and this man buys from me and I turn over to him my certificate. He may buy other warehouse receipts and, after buying a sufficient quantity to make up a cargo, he charters a vessel and ships to Montreal or Liverpool; that is the shipper that is intended to be covered by this Bill, and that is the man who should certainly share the shortage with the carrier if any mistake arises. Let me point out to hon. gentlemen how, if this Act does not pass, it will prove inimical to the interest of the smaller man. The carrier and the elevator owner will make somebody pay for the risks they take by reason of the shortages. The ship owner will increase his rates and the elevator owner will increase his rates of storage and the small shipper will have to pay.

Hon. Mr. WATSON—You must not forget that there is a source from which you can make up these shortages in the over-plus they have in the elevators.

Hon. Mr. CASGRAIN—There is no guarantee that there will be any over-plus.

Hon. Mr. WATSON—Let the Government make legislation that they will have to avail themselves of any surplus. We are told by men who ship grain that there will always be a surplus. I do not want men who have no control over the weighing to be held responsible for any shortages.

Hon. Mr. CASGRAIN—The shippers are not necessarily the people who put the grain in the elevators. It may be an operator who buys the grain. An operator in Montreal has so many thousand bushels of wheat which he is shipping, and he is the shipper in this case and not the farmer.

Hon. Mr. WATSON—A vessel going from elevator to elevator taking on grain to make up a cargo is controlled by the clearing house at Fort William, and I contend that the same arrangement should be made between elevators and the carriers with the terminal company at Port Arthur.

Hon. Mr. LOUGHEED—I move that the committee rise and report progress, and that this matter can be considered in the meantime. It has been fully threshed out in the House of Commons, where the same points were raised. I do not know that we can ventilate it to any greater extent than we have already done. It can be taken up again to-morrow morning. The whole point turns on whether that word "shipper" should remain in the clause.

Hon. Mr. ROSS (Middleton) from the committee reported that they had made some progress with the Bill, and asked leave to sit again to-morrow at the first sitting.

NATIONAL TRANSCONTINENTAL RAILWAY ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (119), an Act to amend the National Transcontinental Railway Act.

Hon. Mr. CLORAN—Will the leader of the House explain the object of the Bill?

Hon. Mr. LOUGHEED—The object of this Bill is to give authority to the Government to operate the National Transcontinental Railway and also to acquire by lease, or otherwise, the Lake Superior branch of the Grand Trunk Pacific, pending the taking over of the entire system by the Grand Trunk Pacific, which it may possibly do in the near or distant future.

The Bill was read the first time.

DOMINION CONTROVERTED ELECTIONS ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (109), an Act to amend the Dominion Controverted Elections Act.

Hon. Mr. CLORAN—Would the leader explain the object of that Bill?

Hon. Mr. LOUGHEED—The object of this Bill is to adopt a speedier method of settling controverted elections than we have at the present time on the statute books.

Hon. Mr. CLORAN—Is that a duplicate of the Bill defeated here yesterday?

Hon. Mr. LOUGHEED—No, that was an amendment to the Supreme Court Act respecting appeals. This is an entirely different Bill.

Hon. Mr. WATSON—One Bill is for the purpose of lengthening appeals and the other is for the purpose of shortening them.

Hon. Mr. LOUGHEED—That view may possibly be taken by my hon. friend.

The Bill was read the first time.

APPOINTMENTS AND PROMOTIONS RECOMMENDED.

The Acting Speaker presented to the House recommendation regarding appointments, promotions and superannuation of Senate employees and a recommendation by the Speaker of the Senate (Hon. Mr. Landry), regarding the same.

Hon. Mr. ROSS (Middleton).

Hon. Mr. LOUGHEED—I move that both these recommendations be referred to the Committee on Internal Economy.

Hon. Mr. POWER—It appears that the Senate is singularly favoured just now. We have had two Speakers to-day, the hon. member who is in the chair, and the hon. member who has filled the chair during the greater part of this sitting. It seems to me that, if we are to stand on strict order, these recommendations should have come from the hon. gentleman who now fills the chair.

Hon. Mr. LOUGHEED—During the unavoidable absence of the Speaker, there is nothing to prevent his making a recommendation.

The motion was agreed to.

DEVELOPMENT OF AGRICULTURAL RESOURCES.

MOTION.

Hon. Mr. DAVID moved:

That in order to provide larger markets for our industries and remunerative traffic to our transportation lines, to increase our population and to promote the progress, the wealth and the best interest of Canada, every possible assistance should be given in order to secure the development of our agricultural resources.

He said: Every one admits that agriculture is the most solid foundation of the welfare and prosperity of a community, the best element of its moral, religious and national character and that no where more than in Canada that truism must be acknowledged. There is no country whose destinies depend more than Canada upon the tilling of its soil, upon the development of its agriculture and colonization. The terrible war which is covering the earth with ruins, and floods of blood and tears, shows clearly that agriculture is the safest source of wealth, the least liable to financial perturbations, the bones and sinews of humanity. All the natives of Europe are looking to the United States and Canada to obtain the food required to replace the foodstuffs destroyed by war, to refill their granaries. When the war is over there will be thousands of people, of destitute people who will be pleased to come to our shores, who will be compelled to leave their desolated countries in order to find here a refuge where they will be able to rebuild homes for themselves and their families. It must be most gratifying to us that we should be called upon to fulfil such a noble mission, a mission so beneficial to mankind and to our

country. But we must be prepared to do what the Empire, what the whole world expects, what the most sacred interest of our country requires. Providence, which has been good to us, which has bestowed upon our country such great favours, has given us the means of fulfilling that mission. We have millions, about four hundred millions of uncultivated land to supply the world with the food it will require and to give to millions of people the homes and bread they will need. Unfortunately the last census has established that while in the last ten years our rural population has increased by only about 500,000, the population of our towns has increased by one million two hundred and fifty thousand. All those who have at heart the moral, national and material progress of our country have deplored that state of things. We have done much to improve our transportation systems, to build up our national industry. We have spent millions and millions of money for the construction of railways, and we have done much to develop industrial production, and to meet the requirements of Europe when the war is over. But industry needs population in order to secure the home, the national market, and railways also need population in order to prosper. Well, colonization and agriculture will give the population required if we do our utmost to promote their development, to keep our people on our soil, and induce the immigrants to come and settle in our midst.

But even if we could rely upon a large immigration at least for some time, we have our own population to provide for, we have thousands of people whom we must keep and be giving the means of living here. And what better for the country and for them can we do than encouraging them to settle on our rich lands?

It may be said that colonization is essentially a provincial question, but nobody can deny that the Federal Government is interested in increasing the population in order to increase its revenue. The greater the population the greater the customs and excise duties. So that if we reduce the question to a question of dollars and cents the interest of the Federal Government is clear. But as I have stated there are motives and reasons of a higher order which should induce us to increase population by the development of our natural resources of our country and especially of agriculture and colonization.

How can that be done?

I hold in my hands a book, a pamphlet which is most valuable and contains the best information and gives the most forcible arguments on that question. It is entitled "Back to the Land" and has been published by the Board of Trade of Port Arthur. This most interesting little pamphlet shows what has been done in other countries to promote agriculture and colonization and should be done here. Allow me to make some quotations:

The state of Minnesota, under chapter 367 of its general laws for 1911, has cleared some ten or fifteen acres on each homestead and is now offering same to settlers; terms fifteen per cent cash and balance at end of 40 years, with interest at four per cent per annum.

In about 1883 the Argentine Republic gave 250 acres to their pioneer settlers and advanced to them $1,000 each in improvements and machinery, aggregating about $50,000,000, repayable in ten years, with interest at five per cent. In six years they secured 1,200,000 immigrants and over $750,000,000 British gold to be invested in their republic.

In 1895 New Zealand lent about $15,000,000 at five per cent to its farmers as the farmers alleged that, owing to the low price paid for farm products, they were unable to pay the current rate of eight per cent.

In 1899 there was fifty-five per cent more land under cultivation than in 1890, and an increase of over twenty-two per cent in its population. So successful has the policy been that the state has now lent about $65,000,000 and it has suffered no loss and has a surplus profit of $1,500,000.

Mr. Charles McIntyre, in the Canadian Courier of March 22, 1912, stated: "But the best illustration for our purpose may be found in Ireland. There the British Government has not only advanced money to tenants for the purpose of acquiring their land, in fee simple, but it has also advanced money for the erection of cottages in the country districts."

Australia has advanced over $82,000,000 to her farmers.

After having pointed out what the United States, France and Denmark have done in that direction, the author of the book cites the opinion of Sir George Paish, the leading economist in the British Empire, who writes as follows in the London Statist:

For years millions of dollars have been poured out on new railway lines and other necessary undertakings. It is very desirable that abundance of capital should now be provided for farming and mining in order for one thing that the great sum of capital spent in Canada in recent years may become productive and for another that the world's supplies of food may be largely increased.

There should be a three-fold increase in the present decade in the output of our farms, forests, mines, fisheries and manufacturing industries.

Railways, banks, traders, investors, the people themselves, must all co-operate.

But upon the Dominion Government and upon the several governments rests the special duty of doing all they can to stimulate the production.

The extension of liberal credits to agriculturists to enable them to expand their opera-

tions is one of the most pressing needs of the moment and no time should be lost in providing such accommodation.

Almost all the leading newspapers of Toronto and Montreal have endorsed these views and pleaded eloquently in behalf of the great cause of agriculture and colonization, and have urged the Government to do what is being done elsewhere with so much success. There may be differences of opinion on the steps to be taken in order to give a practical effect to these patriotic views. But all agree that the Government should assist all those who are eager to return to the land which they abandoned, but have not the means of so doing, and give financial aid generally to all those who would be pleased to settle on our lands if they were able to get a living in the first or the two first years of their settlement. Special consideration should be given to those who want to settle in wooded regions where the clearing of the land is so hard, so difficult. No money can be better invested than the money spent in increasing the number and wealth of our rural population. Let the Government do for colonization what they are now doing for agriculture. Let them include every year in the Budget a certain sum of money for colonization purposes, on condition that such sums of money shall be used in assisting the destitute settlers in the manner best adapted to the needs and requirements of each province. The money in certain cases might be given to colonization societies offering all the guarantees required. The Government have lands where they could give effect to those suggestions and the great railway companies should be induced to follow their example. But I do not think it advisable to enter now into the details of that project, let us first try to have the principle adopted, and it will be easy to have it applied in the most proper and practical way and in accordance with the constitution. Personally I would have no objection to use if necessary the money which it was proposed to give to highways, for the purpose of facilitating the carrying out of this national scheme. This would be a most practical means of getting rid of that bone of contention, but both objects are good and may be pursued. Anyhow, when the destinies of a country, when its prosperity and welfare are at stake, when from one end of the country to the other there is but one opinion, one feeling in behalf of a reform of vital importance, the money required to give satisfaction to public opinion must be found.

Hon. Mr. DAVID.

The Government can do nothing more practical, more useful, more patriotic.

The motion was agreed to.

The Senate adjourned until 11 a.m. to-morrow.

THE SENATE.

Saturday, April 10, 1915.

The Acting SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

GRAIN ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on the amendments moved by the House of Commons to Bill (S), An Act to amend the Canada Grain Act.

(In the Committee.)

On clause 4—120a:

Hon. Mr. LOUGHEED—It has been proposed, in order to meet the difficulties that have been pointed out—that there be an interpretation placed on the word "shippers" which would read as follows:

Shippers, as referred to in 120a and 120b of this Act, mean any persons who ship grain by vessel from any of the elevators situated at Fort William or Port Arthur.

Hon. Mr. CASGRAIN—That is all right.

Hon. Mr. LOUGHEED—If the hon. gentleman will accept that interpretation it will remove the difficulty under which we have been labouring.

Hon. Mr. EDWARDS—That does not cover it. With whom does the responsibility rest? If, for instance, a shipper west of Fort William becomes a shipper under those conditions.

Hon. Mr. LOUGHEED—There would be no western shipper. He might be the same individual, but his shipments would only be those of a shipper from the terminal at Fort William or Port Arthur.

Hon. Mr. DAVIS—Clause 120a says that the board shall receive and investigate all complaints as to shortage, etc., and shall have power to assess or apportion the loss arising from such shortage. Supposing there is a shortage and the board cannot

ascertain on whom the responsibility rests, whether the carrier, the eastern elevator or the other party; under this provision the board will have power to assess the different parties to cover that loss, each one to pay a certain amount. They might say to the carrier, "You pay the whole thing."

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—I think that is giving too much power to the board. If they cannot ascertain how the loss occurred, but decide that the loss is there, they will say, "It is amongst you people, and we will apportion it amongst you." They might say to the carrier, "You pay two-thirds and these other parties pay one-third." I do not think it would be fair to give the board that power. I think it should be divided among all the parties at the end of the season.

Hon Mr. THOMPSON—The evidence adduced in the inquiry might show that the carriers themselves were the guilty parties. We must assume that a board of this character would get the entire information with respect to the shortage all along the line. The board would not have any personal feeling against the carrier, and would adjust a matter of this kind according to the evidence, and failing in doing that, if they could not find any evidence there might be a fair division, but I do not think they would arbitrarily say, "Well this party should pay it all."

Hon. Mr. DAVIS—My hon. friend forgets that the board is sitting in judgment on itself. The western elevators are entirely under the control of the board. There are three parties to this matter, the western elevator, the carrier and the elevator at the other side of the lakes. Then there is the shipper and the board, and that board will be sitting in judgment on itself and its officials. I object to that feature of the Bill.

Hon. Mr. EDWARDS—Even a western farmer may be constituted a shipper from Port Arthur or Fort William if he ships a car load of grain to an elevator to be stored for him, and afterwards orders the shipment of it by boat.

Hon. Mr. LOUGHEED—No.

Hon. Mr. EDWARDS—Who does then?

Hon. Mr. LOUGHEED—The practice is that a shipper purchases a certain certificate. He may have in a particular elevator 100,000 bushels of grain for which he may hold a certificate. He may sell that certificate to an operator or may hand it into the clearing house and the shipment may go to the port of destination, but my hon. friend must eliminate from his thought the farmer west of Port Arthur or Fort William except it be that he is an operator or large shipper dealing in cargoes.

Hon. Mr. EDWARDS—I cannot see it that way.

Hon. Mr. CASGRAIN—There is a clearing house now at Port Arthur and Fort William, and at that point the grain loses its identity absolutely. It is all put together and the shipper west of Port Arthur and Fort William disappears entirely and a new arrangement is made, the first shipper having disappeared in the clearing house.

Hon. Mr. GORDON—This appears a very wise provision. On only one point can I see how objection can be taken, and that is if I should lack faith in the board. It is a good thing always to have any commodity measured by an independent man, because then, in case of shortages or overweight, it is easier to make adjustment. To demonstrate what I mean, I would point out that for years in the city of Quebec the Government has had a board of cullers who measure timber and their measurement is final and binding on both the buyer and seller, and it always works out satisfactorily.

Hon. Mr. KERR—That does not meet the case. The man we want to protect is the owner of the wheat who has shipped it to the elevator at Port Arthur and is given a receipt for that grain. I do not care what name you give him, he is the western shipper. Having delivered that wheat to the elevator and having obtained a receipt for it, he is entitled to get what that receipt calls for.

Hon. Mr. LOUGHEED—He is entitled to that and he gets it, but when he comes to ship it out he comes within the Act.

Hon. Mr. KERR—The elevator is responsible to him for that quantity of grain and if he wishes to ship that grain to Liverpool and it turns out for some reason that there is a shortage, why should he be called upon to make up that shortage, the elevator being responsible for it? The shipper should not be held responsible for any transaction that occurs after the wheat arrives at the elevator. That ought to be guarded against. The elevator owners should not be encouraged to have any interest in a shortage. They issue their receipt and should be responsible for the quantity of wheat their

receipt calls for. At the end of the season it turns out that they have an extra quantity of grain and they should make up any shortage from that.

Hon. Mr. EDWARDS—I have no desire to be contentious in this matter, but I am unable to see that this suggested change improves the position. The man who stores his grain in the elevator at Port Arthur and wants to ship it, becomes the shipper.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. EDWARDS—Now, under the Act he is being made responsible for something in which he has no concern, and for which he has no responsibility in any shape or form. It is true that wheat is pooled, as my hon. friend says; but even the farmer who ships a carload from the elevator becomes the shipper, and his responsibility follows him under the Act. My humble opinion is that that is not right.

Hon. Mr. GORDON—How is my hon. friend going to cure that? You have already in that elevator say 500,000 bushels of wheat and you give orders to have 200,000 bushels loaded on a vessel to come east, and instead of having it measured by those men who are under the board, you have it measured by your own men.

Hon. Mr. DAVIS—No. you cannot.

Hon. Mr. GORDON—I am supposing that to be the case. I am not talking about this Bill. I say supposing you have your own men to weigh out this 200,000 bushels that you want to ship out, and later on a shortage is found when it reaches its destination, say Montreal; what are you going to do about it? What better position will you be in then than you would be if it had been shipped by those Government officials?

Hon. Mr. KERR—I would answer that in this way. The case that my hon. friend puts is this—the western shipper delivers his grain to the elevator at Port Arthur and gets a receipt showing that he has that much grain there; afterwards he gives directions to have that grain forwarded. Then a shortage is discovered. Now he has not done the weighing or the shipping out from that elevator; he has had nothing to do with the loss; why should he suffer? Having delivered his grain and got his receipt he is entitled to say, "I want my grain delivered at Liverpool; ship it there." And unless the full quantity of grain for which he holds a receipt is shipped there he is entitled to look to the elevator to make up the shortage.

Hon. Mr. GORDON—The answer to that is, the chances are 99 in 100 that he will get all his grain.

Hon. Mr. DAVIS—But the fact remains, as the hon. senator from Toronto has said, that the shipper, whether a small shipper from the West, or a big shipper, is entitled to the quantity of grain for which he holds a receipt. They do not give him back his own wheat; he gets a receipt for a certain amount of grain, the same as he would for so much money in the bank. Suppose he has 20,000 bushels in the elevator, and he orders that the 20,000 bushels be shipped out, he becomes a shipper under this amendment which has been introduced this morning.

Now he orders that that grain be shipped out, and after it goes across the lake, if a shortage is found, they come back on him. In that case if missing grain did not go across in the ship and was not in the elevator on the eastern side of the lakes, it must be in the elevator from which the shipment was made.

Hon. Mr. CASGRAIN—That is what the board will find.

Hon. Mr. DAVIS—If the shortage occurs in the ship, or if the shortage is discovered in the elevator east of the lakes, how can the shipper be held responsible? My hon. friend says the board will find that. The board is given power to apportion the loss, but I say the shipper should not be named in the Bill. He takes his grain there in the same way as a man deposits money in a bank.

Hon. Mr. MITCHELL—Whether they are western or eastern farmers that are concerned, they all agree to pool their wheat in an elevator.

Hon. Mr. WATSON—No, they do not pool their wheat.

Hon. Mr. CASGRAIN—Of course they do.

Hon. Mr. MITCHELL—That wheat is put in the elevator and each man gets the same kind of certificate, whether he be an eastern or western man. When the wheat is delivered out, if there is a shortage, who is going to pay it? I think we had better insert a clause providing that the Government should pay for it.

Hon. Mr. WATSON—The hon. gentleman is perfectly right in saying that if the elevators pool the wheat they should be

held responsible. They do not pool it in the elevator, but they get the grain, and the Government has taken control of the shipping of the grain. The Government weighmaster weighs the wheat in and out. Why should the shipper be mixed up in this matter as the hon. gentleman from Alberta said, the grain was in the elevator at Fort William and shipped to the elevator on this side, and the shipper has had nothing to do with the weighing of the grain. It is outside of his control entirely. He cannot go into an elevator and check the weight or control it in any way. Surely the Government, who undertake through their official weighmaster, to take control of the grain, should be responsible for the shortages of either the elevator or the carrier! The statement was made here yesterday that a surplus of nearly half a million bushels of wheat was in the elevators at Fort William. I think they should make up the losses.

Hon. Mr. CASGRAIN—They were acting for the shipper.

Hon. Mr. WATSON—The shipper has nothing to do with it. It is entirely out of his control. How much would he get if there were a surplus? The Government have undertaken to conduct business which the people should conduct privately. They have undertaken that through the commission and the elevator system, apparently to do somebody some good. There is too much of this class of legislation. If the Government are going to conduct this business, let them take the responsibility.

Hon. Mr. MITCHELL—Are they making a charge for it?

Hon. Mr. WATSON—Yes, the charge is supposed to be sufficient to pay all expenses. They maintain a Government official there. They employ weighmasters who are receiving about $75 a month. The position of weighmaster is probably a much more important position than a bank manager, because he is handling hundreds of thousands of bushels of wheat. At the salary he receives he would probably be a small cheap man and might make mistakes. If the Government are going to conduct the system, they should have the elevator responsible and make up the losses to the carrier.

Hon. Mr. DAVIS—If the shippers get receipts for a certain quantity of grain and a big surplus is found at the end of the year, will they get any portion of that surplus? They get just what they put in the elevator. If, on the other hand, a shortage occurs, he must get out what he put in. If the loss occurred on the boat he has nothing to do with that.

Hon. Mr. GORDON—I do not see what hon. members are driving at when they contend that by eliminating the word "shipper" it is going to have the desired effect. If you have a quantity of wheat in an elevator, the board is going to undertake to get that out for you. Having done that, what more do you expect them to do? If it is found afterwards when it reaches destination that a shortage exists they are bound, under the terms of the regulation, to try and find out where it is.

Hon. Mr. EDWARDS—In western Canada a large amount of grain is raised. There is a class west of Port Arthur who buy and sell wheat. Generally speaking, as I understand it, the elevators at Port Arthur are simply warehouses for receiving, storing and delivering wheat. The western farmer frequently does ship his wheat into Port Arthur, and it goes into these warehouses. He gets a receipt for what he delivers; he has no agent at Port Arthur. He perhaps never has seen Port Arthur and never will. He has nothing to do with the receiving or the shipping of it, but under this amendment he will be made responsible for all the mistakes that may occur at Port Arthur as far as his grain is concerned.

Hon. Mr. CLORAN—And the carrier, too.

Hon. Mr. EDWARDS—And the carrier, too. I think if my hon. friend will study it he will see he is entirely wrong.

Hon. Mr. GORDON—He is not made responsible.

Hon. Mr. EDWARDS—Yes, he is. What would put this Act in proper shape would be a simple declaration that the dealer or shipper west of Port Arthur shall not be responsible under this Act for shipments that take place from Port Arthur. Just what shape it should be put in I do not know. In my humble opinion the Act in its present shape is not right, and may impose penalties on any shipper west of Port Arthur for which he is in no way responsible.

Hon. Mr. KERR—There is another way of looking at the matter. A western man ships to Port Arthur and deposits at the elevator so much grain and gets a receipt for it—an obligation on the part of the

elevator to account for that much grain. By some mistake in the management of that elevator they have either wrongly weighed his grain, or made an over-shipment to some one else, leaving the man who has his grain deposited there short of this amount. Is that a reason why the shipper should be obliged to submit to an assessment for shortage? He is not responsible any more than a man who makes a deposit in a bank. The bank receives my deposit and mixing up the money with everybody else's money and if at the end of the year it turned out that the bank paid out too much to some one depositor, should they have a right to deduct that from my deposit? Surely not. These elevators should be in the same position. Why should they be allowed to recoup themselves for some mistake which they made and which they cannot account for? They receive the grain and they are bound to keep it until you tell them to ship. And when they are instructed to ship, they are bound to ship the quantity for which they issued a receipt. The grain is consigned to some person and that person is entitled to receive the proper quantity.

Hon. Mr. LOUGHEED—I cannot understand why we should surround the shipper with greater protection than he is entitled to under the common law.

Hon. Mr. EDWARDS—Why place the warehouseman in this respect in any different position from the ordinary warehouse man?

Hon. Mr. LOUGHEED—Let us assume that a shipper stores with a warehouse man a certain commodity, and he instructs the warehouse man to ship that commodity to some distant port; the carrier of that commodity comes back and says: "I did not receive from the warehouse man the quantity mentioned in the bill of lading." He would have a right in a court of law to say that a mistake had arisen, and would have a remedy against the shipper.

Hon. Mr. KERR—Against the elevator man.

Hon. Mr. LOUGHEED—The elevator man does not own the grain. He is simply warehousing the grain. He is nothing more or less than the agent of the shipper. The shipper is the owner, and in common law the shipper would be liable for any mistake that might have arisen in the shipment of his goods to any point, notwithstanding the fact that the bill of lading might show something to the contrary. The carrier would have the right to attack the bill of lading and show that a mistake had been made.

Hon. Mr. KERR—I want my hon. friend to answer this question. Supposing I am a western shipper and I ship to Port Arthur 100,000 bushels of grain, and I get at Port Arthur a Government receipt?

Hon. Mr. LOUGHEED—Not necessarily a Government receipt; my hon. friend must not forget that the Government is the owner of only a couple of terminal elevators. All the others are owned by private parties.

Hon. Mr. KERR—The warehouseman issues to me a receipt for 100,000 bushels of grain. I go to my friend across the way and say 'I have 100,000 bushels of grain which is worth so much money; I would like to sell it." He says; "I will take it"; he pays me for it, and I transfer it to him. He then has the right to have it forwarded. The warehouseman at the end of a year says, "I have conducted my business in such a way that I really have not kept track of things as I should. I have issued to somebody a receipt in excess of the quantity I received, and I have only so much grain to deliver," why should I, having consigned a certain amount of grain and got a receipt for it, have to make up for a shortage at the warehouse? Surely the warehouseman should have no higher obligation or no lower obligation than to account for what he acknowledges that he has received.

Hon. Mr. LOUGHEED—My hon. friend will not deny that the court would have a right to make inquiry, to investigate as to where the mistake lay. What hon. gentlemen are doing now is seeking to oust the right of the commission to make any investigation as to where the mistake arose.

Hon. Mr. KERR—Your legislation will destroy that receipt altogether as representing any value. A man would come to you with a receipt for 100,000 bushels of grain and offer to sell it; you would not buy from him. You would say: "It is true there is a receipt here for 100,000 bushels, but it may turn out that you delivered only 50,000 bushels; there may be a mistake somewhere."

Hon. Mr. CASGRAIN—In the first place, it seems to me that the shipper is the seller, the seller is the shipper. The one to whom the wheat is consigned is the pur-

chaser. The purchaser has recourse against the seller, not against the warehouseman who stands in. between.

Hon. Mr. CLORAN—That is where he should have it.

Hon. Mr. CASGRAIN—Not a all. The seller has recourse against the warehouseman, but the purchaser has his recourse against the man that sold him the wheat, no matter what intervened, and the man who sold him the wheat will have his recourse against the elevator. That is the way it is, as I take it.

Hon. Mr. BEIQUE—The hon. gentleman is altogether mistaken. The purchaser looks to the warehouseman.

Hon. Mr. WATSON—Sure.

Hon. Mr. BEIQUE—He carries the certificate of the warehouseman, and the shipper also looks to the warehouseman. The warehouseman stands between the two.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BEIQUE—And it is his business to see that the quantity for which he issues the certificate is there. I quite appreciate that there may be an unavoidable mistake, and that the recourse at common law should be preserved, but it should not be a recourse which would fall on any innocent party. If I understand the wording of the clause, it is to this effect, that the warehouseman, who might be loose in his accounts or in his way of dealing with the receiving and shipping of the goods, would be entitled to show that he has a deficit of so much and then to levy this deficit upon a number of parties who were perfectly innocent, and who should not be made contributories to the deficit.

Hon. Mr. KERR—Quite so.

Hon. Mr. BEIQUE—I think the clause should be worded in such a way that the proper recourse will be kept, but that the recourse should be dependent upon the warehouseman proving where the deficit existed, and letting the party exercise his recourse against the party responsible.

Hon. Mr. CLORAN—I am not a practical grower or shipper of grain, but in listening to this debate I have asked myself how the legal side of the transaction would present itself to the courts. I have listened to about ten or twelve gentlemen speaking about seventeen times each, and they are all divided in regard to this matter. The situation as far as I can seize it, from a legal point of view is this: The western farmer who grows the grain sends it to the elevator, which is a Government institution, just like a postal savings bank. He sends to that elevator 10,000 bushels of grain, and gets from the Government officer a certificate to the effect that he has delivered to the elevator 10,000 bushels. The law should come right in here and say that his responsibility and liability cease with the obtaining of the certificate. He has put 10,000 bushels in the Government elevator; that grain loses its identity, and goes in with other grain until the elevator is filled. Then an order is given for the shipment from that elevator of 100,000 bushels to Liverpool. The farmer's 10,000 bushels goes in among the 100,000 and is shipped. When it reaches Liverpool it is found that instead of 100,000 bushels only 90,000 bushels has been delivered. The purchaser has recourse against the seller, as one hon. gentleman says, but we know that the farmer practically is the final seller, and the purchaser would have recourse against the seller in ordinary circumstances; if he was buying from an ordinary wholesale house or any ordinary retail store he would have recourse against the seller; that is a principle of common law. But Parliament has a right to come in and supersede common law, and put safeguards around the application of the common law. If the seller was an ordinary seller, without any protection to the purchaser except his own honesty, then he would be responsible, and no Parliament would undertake to supersede the common law in that regard in a position of that kind. But in this case the seller is not an ordinary seller; he is under the protection of the Government; he has his goods stored in a Government warehouse; and it becomes the duty of the Government warehouse to deliver his goods. If the goods are not delivered, then this legislature can come in and supersede the common law restricting the responsibility to the elevator man or the elevator authorities, or the Government institution. That is within their power and rights, and on the present occasion, I think it ought to be within the discretion of this House and Parliament to so legislate that the farmer who holds a Government certificate showing that a certain amount of grain has been delivered, shall not be held responsible if a shortage is discovered later. Limit the responsibility, as far as the purchasers are concerned, to the Government officials in the elevator, although in

common law the purchaser would have a right to prosecute the seller for non-delivery. Let it be made clear to all purchasers of grain in the civilized world that they must look to the elevator authorities who are Government officials. That would protect the poor farmer who hands his grain over in good faith, saying: "I have sent 10,000 bushels down to you;" and the warehouse and the authorities of the Government say, "You have not sent 10,000, you have only sent 9,500." The farmer would then have no kick; he would accept the certificate, his responsibility and liability for that grain on delivery should cease right there. Now that is the legal point of view. I submit it is a change from the common law, but when the purchasing public are on their guard they will know to whom to trace the shortage in the delivery if one should occur. It is only fair and right that the farmer, who has in good faith and honesty delivered his goods to Government officials, should not be left open to be prosecuted for non-delivery.

Hon. Mr. LOUGHEED—We will have to arrive at a conclusion on this subject, and I therefore move the adoption of the clause. If any hon. gentleman has an amendment to move he had better move it.

Hon. Mr. WATSON—As amended?

Hon. Mr. LOUGHEED—No, I move the adoption of the clause as it appears in the amendment.

Hon. Mr. DAVIS—Are you putting anything in that amendment defining the word "shipper"?

Hon. Mr. LOUGHEED—Yes, I propose moving it after we adopt the amendment, because this would have to come in as an interpretation of the word "shipper."

Hon. Mr. BEIQUE—The reason of the additional clauses to the Bill is that important shortages have been found to exist.

Hon. Mr. LOUGHEED—The Grain Commission thought that they had brought about an arrangement between the carriers and the elevators as to the distribution of shortages which occur from time to time. An agreement was drafted by which it was proposed that they should all contribute a certan percentage of grain, and that they should contribute a certain proportion for the purpose of meeting these shortages.

Hon. Mr. WATSON—You say that agreement was arrived at between the carrier and the elevator man.

Hon. Mr. CLORAN.

Hon. Mr. LOUGHEED—It was proposed that each of the elevators at Port Colborne, Kingston and Prescott shall, in respect of cargoes loaded at such elevators, pay and allow to the receiving elevator at Montreal or Quebec the value at loading date of one-sixth of one bushel per each one thousand bushels of grain so loaded.

The vessel shall pay and allow to the receiving elevator the value at loading date of one-quarter of one bushel per each one thousand bushels of grain carried.

That the receiving elevator at Montreal or Quebec shall guarantee at unloading the bill of lading weights, and shall give to the vessel a receipt for the full quantity shown in the bill of lading.

This arrangement was sought to be brought about by the Grain Commission, but it was found that the elevator men and the carriers could not agree among themselves as to doing this and it was arranged that the shipper should bear his share in addition to the elevator man and the carriers. A misapprehension seems to exist in the minds of many hon. gentlemen that these are Government elevators; there are only a couple of Government elevators.

Hon Mr. WATSON—The hon. gentleman must admit that every bushel of wheat is weighed under Government supervision.

Hon. Mr. LOUGHEED—I quite admit that, but it does not relieve the owner of the elevator of responsibility for shortage.

Hon. Mr. BEIQUE—I was under the impression that in practice it has been found that there was a surplus rather than a shortage.

Hon. Mr. LOUGHEED—I am informed that certain elevators have overages and other elevators shortages and that the one will practically counterbalance the other. There is not to my knowledge any decided overage upon the whole.

Hon. Mr. BEIQUE— This Bill would not cover the apportioning of the surpluses.

Hon. Mr. LOUGHEED—Yes, under 120b my hon. friend will observe it is provided that:

> The board may make regulations governing the responsibility for, and the disposition of shortages and overages of grain upon delivery of same from an elevator to a vessel or from a vessel to an elevator, and may assess in such manner and in such amount as it may deem just and proper, contributions from elevator operators, water carriers and shippers, or from any of them, in favour of the board or otherwise for the purpose of providing against such

responsibility: providing that nothing contained in this section shall limit the powers of the board under the preceding section.

So that it proposes placing in the board the fullest power to deal with the entire question. Hon. gentlemen will appreciate that this is a very difficult question to solve. It is surrounded with all kinds of difficulties. Disputes will arise and there should be some tribunal for the purpose of settling them.

Hon. Mr. DAVIS—That is perfectly right.

Hon. Mr. BEIQUE— Would the object be attained if the board were given power to make proper regulations and to investigate for the purpose of enabling the party who should recover to recover against the party who should stand the loss?

Hon. Mr. LOUGHEED—That is what the Bill provides.

Hon. Mr. BEIQUE—I cannot appreciate that, because it is sought to distribute that shortage upon the innocent as well as the guilty party.

Hon. Mr. LOUGHEED—No, that does not necessarily follow. It is proposed to empower the board to determine, if possible, by whom the loss should be sustained, but there may be a condition of things——

Hon. Mr. BEIQUE—But the hon. gentleman will admit that if the board cannot ascertain who is responsible, they will distribute the loss among innocent parties.

Hon. Mr. LOUGHEED—That is to be within the discretion of the board. There might be such a loss as would warrant the board in saying: "We cannot determine the responsibility, and consequently cannot distribute or assess."

Hon. Mr. DAVIS—Does my hon. friend not think in the case I mentioned a while ago, that a great many of the shippers would object to that because the board will be sitting in judgment on themselves? The Government elevators are a party to this. Of course, if you can locate who is responsible for a certain loss it can be adjusted, but where he cannot be located, and it must be apportioned, you are giving power to the board to assess that as they deem proper. The right way would be to pool it and assess everybody alike. Put in the big shipper, the terminal elevator, the carrier and the party across the lake. It should be divided amongst four parties.

Hon. Mr. LOUGHEED—That is what is done.

Hon. Mr. DAVIS—Yes, but you give them power to assess the whole loss on one man.

Hon. Mr. BELCOURT—It is rather strange that at this stage one would need information, but I should like to ask what is the practice between the warehouseman and the carrier? Does the warehouseman not procure from the carrier a receipt for the wheat which the warehouseman hands over to the carrier?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BELCOURT—I do not see where the difficulty arises in determining responsibility.

Hon. Mr. LOUGHEED—The difficulty now is that it falls on the carrier.

Hon. Mr. CASGRAIN—The carrier cannot possibly know how much wheat he is taking on his ship. He only finds out after he unloads it. If all the hatches in a ship are closed after it is loaded, the wheat must be there. The wheat is weighed at Fort William by the Government men and it is weighed again at Montreal by other parties. There should be Government weighing at both ends.

Hon. Mr. LOUGHEED—The Government will, I believe, have Government weighmasters at both ends.

Hon. Mr. WATSON—There is no proposition before us for Government weighmasters at the receiving end.

Hon. Mr. LOUGHEED — They have authority to do that.

Hon. Mr. WATSON—I think that is where the great trouble has arisen. At Fort William they have scales of sufficient capacity to weigh accurately the cargo into the vessels, but at the receiving end, where they unload, they have not scales of sufficient capacity to weigh as they unload the vessels. There is a lot of guesswork, and the carrier is told: "You are short so many bushels." If we hold the carriers responsible they should have some check. If you pool the wheat, as has been suggested, you get the benefit if there are overages, but you are asking the shipper, who has no control over a bushel of this wheat, and no right to go into an elevator, to stand losses which might occur through dishonesty.

Hon. Mr. GORDON—You are forgetting that it protects the shipper.

Hon. Mr. WATSON—I am not forgetting anything. You have three parties, the elevator, the carrier and the shipper; so far as the receiving elevator is concerned there is no responsibility at all.

Hon. Mr. LOUGHEED—I move that the committee rise, report progress and ask leave to sit again. If hon. members have amendments to offer, I hope they will be prepared with them when we again go into committee. This is an important subject and it is in the public interest that the matter should be settled. It has been a bone of contention for many years, and as the administration of the Grain Act now vests in the Government, they are very anxious that it should be carried out as in the Bill. It is proposed, if this Bill goes through, that weighmasters should be appointed at all receiving points. The authority is now vested in the Government to do that, and consequently a system will be adopted whereby it is hoped there may be a satisfactory adjustment of those disputes which have been going on for the last 15 years, and concerning which, up to the present time, there has been no solution.

Hon. Mr. BELCOURT—I understand my hon. friend to say that if this Bill goes through the Government will appoint weighmasters at the point of receiving and the points of delivery.

Hon. Mr. LOUGHEED—They have weighmasters at the point of delivery.

Hon. Mr. BELCOURT—If that is so I am unable to see why there is any necessity for the legislation, because the matter will take care of itself.

Hon. Mr. LOUGHEED—No.

Hon. Mr. BELCOURT—The warehousemen at Fort William give the shipper his receipt. That ought to be conclusive, and he should be able to negotiate that.

Hon. Mr. LOUGHEED—We have made that conclusive.

Hon. Mr. BELCOURT—The carrier comes along and takes delivery from the warehouse of the quantity of grain and gives his receipt for it. Why should that be treated differently? Why should not that be conclusive to the warehousemen? The carrier takes his grain down to Montreal and gets his receipt there. Why do you want legislation?

Hon. Mr. LOUGHEED—Suppose that cargo is 20,000 bushels short notwithstanding the issue of certificates?

Hon. Mr. BELCOURT—The law says the carrier is responsible.

Hon. Mr. LOUGHEED—He must have a chance to show that some mistake arose at the receiving point or the point of delivery.

Hon. Mr. BELCOURT—He may do that in a court of law.

Hon. Mr. LOUGHEED—He is not content to do that. This war has been waged for 15 years between the carriers and the elevators concerning the carrying of grain and it is proposed now that some solution be had.

Hon. Mr. BELCOURT—Could my hon. friend tell me why the receipt given by the carrier should not be conclusive the same as the other?

Hon. Mr. MITCHELL—They will not give a receipt in that way.

Hon. Mr. LOUGHEED—The carrier cannot give a weighing receipt because it is weighed into his vessel from the elevator.

Hon. Mr. DAVIS—He should check the weight.

Hon. Mr. LOUGHEED—He must necessarily take the certificate of the weighmaster.

Hon. Mr. BELCOURT—I rose for the purpose of ascertaining if the carrier did give a receipt to the warehouse. He does or does not.

Hon. Mr. LOUGHEED—He gives a bill of lading the same as any carrier does.

Hon. Mr. BELCOURT—Why should he give a receipt for something he cannot check?

Hon. Mr. CASGRAIN—He cannot check the weight.

Hon. Mr. BELCOURT—Is a man bound to give a receipt for something when he does not know whether he has received it or not?

Hon. Mr. DAVIS—This should be called a Bill to release the carrier from responsibility.

Hon. Mr. GORDON—I should like to cite one case where I think it is in the interest of the shipper. A shipper has a certain quantity of oats in an elevator, say 500,000 bushels; he has a way bill also for 500,000

bushels as being shipped. It is afterwards found that instead of having shipped 500,000 bushels, only 480,000 bushels were shipped, and there was a shortage of 20,000 bushels. That means there is 20,000 bushels of grain in the elevator belonging to the shipper, and he has a right to get it and will get it.

Hon. Mr. WATSON—I observe, in the discussion which took place in the other House, that the minister in charge of the Bill suggested that he had not any clear conception of how it would work out, but proposed it as a sort of compromise. Certain complaints were made by carriers and elevator men. The shortage occurs where the carriers deliver the cargo. There are ample facilities for weighing their cargoes into the vessel, and it should not be much trouble to weigh the cargo. They have not the right to do that, but it should be permitted. They have not sufficient facilities to allow a vessel to unload as fast as she should unload, and the difficulty occurs there. Perhaps it would be as well to let this amendment stand for another session because it is a controversial matter. I do not see why, because the carrier has trouble and finds losses and shortages, the shipper should be brought into it.

Hon. Mr. LOUGHEED—You can move an amendment. My hon. friend seems to desire to strike out the word " shipper."

Hon. Mr. WATSON—I do not want and I do not think that any member of this House wants to take responsibility for that. It is a technical subject and hard to understand, and the department ought to know, but it is simply a compromise matter, and I do not see why we should take in an innocent party who has no protection for himself. I would suggest that it would be well for the minister to consider the dropping of the word "shipper" for this session.

Hon. Mr. ROSS (Middleton), from the committee, reported that they had made progress with the Bill and asked leave to sit again this afternoon.

WINDING-UP ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 122, An Act to amend the Winding-Up Act.

He said: There is nothing much to be said about this Bill except that it permits an application to be made to the court to which the appeal is to be made for leave to appeal. At the present time the application is limited to the court from which the appeal comes. I therefore move the second reading of the Bill.

The motion was agreed to, and the Bill was read the second time.

NATIONAL TRANSCONTINENTAL RAILWAY ACT AMENDMENT BILL.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 119, An Act to amend the National Transcontinental Railway Act.

He said: The object of this Bill is to give authority to the Government of Canada to enter into negotiations for the lease or acquisition by other means of the Lake Superior branch of the Grand Trunk Pacific Railway. As hon. gentlemen are aware, the Government of Canada has constructed the National Transcontinental railway from Winnipeg to Moncton, which, under the contract, has to be eventually, it is hoped, operated by the Grand Trunk Pacific. The Grand Trunk Pacific with the view of securing connection with the head of the lakes built a branch, known as the Lake Superior branch, from a point on the main line of the National Transcontinental railway known as the Superior Junction, to Fort William. Inasmuch as the Grand Trunk Pacific is not in a position to enter upon and take over the National Transcontinental railway at the present time, for reasons which need not be mentioned, and which may be controversial, and a discussion of which will not probably prove illuminating, it is expected by the Government that in the meantime they will have to enter upon the National Transcontinental railway and operate that road from Winnipeg to Moncton. In order to operate that road advantageously it will necessitate the Government acquiring, by lease or otherwise, the Lake Superior branch, so that grain and other products may be carried from Winnipeg to the head of the lakes. Hon. gentlemen are probably aware that the main line of the National Transcontinental does not touch either Port Arthur or Fort William, and is a very considerable distance from the head of the lakes. It is therefore to the advantage of the Government and equally advantageous to the interests of the Grand Trunk Pacific. If the Government of Canada should operate the National Transcontinental railway, it is altogether likely that it will be in the interest of the Grand Trunk Pacific that they should not operate the Lake Superior branch, but

rather that the branch should be operated by the Government.

Hon. Mr. BOSTOCK—What is the arrangement at the present time between Winnipeg and Port Arthur?

Hon. Mr. LOUGHEED—An arrangement had been entered into between the Government and the Grand Trunk Pacific, by which they might operate that portion of the road from Superior Junction to Fort William. The Grand Trunk Pacific have been under an arrangement to operate from Winnipeg to Fort William.

Hon. Mr. BOSTOCK—Is there any termination to that lease?

Hon. Mr. LOUGHEED—Yes, I understand that there is.

Hon. Mr. THOMPSON—Section 8 says that the lease shall be for not more than five years without ratification of Parliament. If after four or five years the Grand Trunk Pacific should take over that portion of the line, why should not the Government lease terminate at that time? Supposing next year, or the year after, the Grand Trunk Pacific take control of the road from Winnipeg to Moncton, the Government should not have any right over this branch line.

Hon. Mr. LOUGHEED—The Government would not. Whatever agreement is drawn up between the Government and the company would make provision for all probable conditions. If the Grand Trunk Pacific should take over the National Transcontinental railway, this lease of the Lake Superior branch, between the Government and the Grand Trunk Pacific, would necessarily fall to the ground.

Hon. Mr. THOMPSON—Automatically. I understand the Government reserve the right to give running rights over that road from Winnipeg to Moncton. If they still held a lease of the branch road belonging to the Grand Trunk Pacific after the Grand Trunk Pacific took over the main line, it might affect their operation of the main line.

Hon. Mr. LOUGHEED—That would not occur. Any agreement drawn up between the parties would make provision for that. The Government of Canada would be only too glad to have the Grand Trunk Pacific take over the National Transcontinental railway and operate its own branch lines.

Hon. Mr. BOSTOCK—I do not suppose it is advisable for this House to go into a full discussion of this question, but there is a possibility of a great deal of interest being taken in this question in the West, because any arrangement made between the Government and the Grand Trunk Pacific will affect the West. The Grand Trunk Pacific are operating this road now, and it is a most important piece of work in connection with the western end of the line, which runs right through to Prince Rupert. The Government have not been disposed to be any too lenient in their arrangements with the Grand Trunk Pacific. It would be a serious thing for the country if this legislation should in any way hamper the operations of the Grand Trunk Pacific with regard to the western business. This line was built for the purpose of opening up and developing the country, through the West especially, and for the purpose of competition, so that the farmers throughout the West would have the benefit of lower rates, and it is most important, in the interests of that western country, that that competition should be carefully maintained.

This clause, as I understand it, not only deals with the section of the line from Lake Superior Junction down to Port Arthur, but also with the terminals and other works connected therewith, which do not, if I understand rightly, belong to the Grand Trunk Pacific—that there will be other companies connected with this work—and this first clause of this Bill enables the Government to take hold of these works as well as the actual line from Lake Superior Junction to Port Arthur. The Government proposes that any arrangement to extend for a longer period than five years shall, if I understand the last clause, be submitted to this Parliament; but in the event of its being made for a shorter time, we shall have nothing to say with regard to the matter. Clause 8 of this Bill reads very much the same as a suggestion that we were making the other day in regard to the Government railway—that the legislation for that should be submitted to the ratification of Parliament. Possibly the stand that we took at that time may have had some effect in causing the Government to consider that this was a good clause to put in the Bill.

The motion was agreed to, and the Bill was read the second time.

DOMINION ELECTIONS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 110, An Act to amend

the Dominion Elections Act. He said: This short Bill and the amendments proposed, have to some extent been brought about by the Representation Act which was passed in the session of 1914. The first clause proposes substituting certain words in lieu of those which are to be found in the present Act, owing to the changes of name in the Representation Act. The second places the provinces of Saskatchewan and Alberta in the same position as the other provinces occupy in case a candidate dies after nomination. Clause 3 deals with the granting by employers of an hour for voting purposes. Clause 4 amends the French version of the same Act. I move the second reading of the Bill.

Hon. Mr. BOSTOCK—I do not propose to make much objection to this Bill, but I should like to point out that under the first clause of this Bill, which deals with certain constituencies in the province of British Columbia, the elections in those constituencies are to be held on a date subsequent to the date of a general election.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—The clause makes a change in one case from the whole Kootenay riding, which is represented by one member at the present time, to West Kootenay, which will be represented by one member, and leaving out of the question East Kootenay, which will also be represented by one member under the Act. If it was desirable to delay the holding of an election for the West Kootenay riding, it would be just as desirable to hold the election later for the East Kootenay riding; the conditions in the two ridings are practically the same. In the north they are served by the main line of the Canadian Pacific railway; in the south they are served by the Crowsnest Pass line of the Canadian Pacific railway; and in the case of West Kootenay by the Kettle Valley; and they are served north and south in the East Kootenay by a line which will connect Golden with Fernie in East Kootenay; and in West Kootenay they are served by the boat lines of the Canadian Pacific railway up and down the lakes. The only part of the riding in which claim can be made of any difficulty in getting in communication with the electors is in the north of the riding, and it would apply just as much in the case of East Kootenay as in the case of West Kootenay. I do not consider that those deferred elections are good things. When I ran in Yale Cariboo which included both the Kootenay ridings as defined in the Representation Act 1914 my constituency was much larger than it is to-day, yet the election was held on the same day as the general elections and we did not have any particular difficulty in arranging matters at that time, and therefore, I do not quite see why this West Kootenay riding should be put in the list of exceptions to-day.

Hon. Mr. LOUGHEED—But my hon. friend must remember that it was the late Government that placed Kootenay in the list of deferred elections, and we only take part of it now and place it in the deferred list.

Hon. Mr. BOSTOCK—I think the present Government might have shown that they were superior by taking it all out.

Hon. Mr. LOUGHEED—If it is a sin to deal with it all, we have only half sinned.

Hon. Mr. BOSTOCK—I might point out that there is much more reason for placing Comox-Alberni in this list, because that takes in the whole of the north part of Vancouver island.

Hon. Mr. LOUGHEED—Eventually they will be all in.

The motion was agreed to, and the Bill was read the second time.

DOMINION CONTROVERTED ELECTIONS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 109, An Act to amend the Dominion Controverted Elections Act.

He said: For some time past there has been a feeling, particularly in the House, and also backed by public opinion, that some change should take place in the procedure of the trial of controverted elections. A committee of both sides of the House of Commons was appointed during the present session, representative, I think, of the leading men on both sides of politics, who gave a very considerable amount of attention and industry to the preparation of this Bill. The policy running through the Bill is that of doing away as far as possible with the delay that has characterized the trial of controverted elections in the past. It is proposed to dispense with much, if not all of the preliminary objections which surround the trial of controverted election cases, and to render the trial of those cases more summary than has been the case in the past. It is cer-

tainly in the public interest that this should be done, and as this Bill is the product of both sides of the House of Commons, who have agreed upon the desirability of embodying this policy in the statutes, I have no doubt that it will receive the hearty approval of both sides of this House.

Hon. Mr. BOSTOCK—I can only say that I think we ought to congratulate the leader of the Government on this Bill, because anything that tends to shorten up and do away with the delay caused in those election trials will be better for the country.

The motion was agreed to, and the Bill read the second time.

The Senate adjourned until 3 p.m.

Second Sitting.

The Acting SPEAKER took the Chair at Three o'clock.

Routine proceedings.

PURCHASE OF DEMONSTRATION FARMS IN MANITOBA.

INQUIRY DROPPED.

The notice of inquiry being called:

By the Honourable Mr. Watson:—

April 7—That he will inquire of the Government:—

1 How many demonstration farms have the Government purchased in Manitoba?
2. When purchased?
3. Where located?
4. What acreage in each case?
5. What price per acre in each case, and from whom purchased?

Hon. Mr. LOUGHEED—I have communicated to hon. gentleman the answers to his questions, so that this inquiry might be dropped.

The inquiry was dropped from the Order paper.

ABSENCE OF SPEAKER LANDRY.

Hon. Mr. CLORAN—Before the Orders of the Day are proceeded with I am compelled to call the attention of this House and afterwards the country to the fact that a most abnormal situation and condition of things exists in the Senate at the present moment—most abnormal to say the least. I have my own conjectures as to the cause of it. What the result will be I do not know. Here is the Senate of Canada in regular session passing laws that are intended to be binding on the country, without the competent authority being present, although he himself is at hand. If that is not an abnormal situation, I should like to know what would be abnormal. When a law is proposed to this Chamber it must be under the supervision and jurisdiction of the Speaker. There must be fair debate, and it must not be choked off by the Sergeant at Arms or anybody else. You must have a fair, free and full discussion of the question before the House. What do I find? I find that the laws of Canada are to-day being passed through the Upper Chamber in spite of and in defiance of the Constitution. The laws that we are passing to-day and recommending to the Governor General are being enacted without an official head. It is true in the House of Commons up-to-date they have an official head but not so in this Chamber. I will lay before the country the fact that there is no official head in this hon. body.

I do not see the use of laying it before this House. Under the Constitution a member of the House can be named as a substitute, on one condition, that the absence of the Speaker of the House is unavoidable. That is the expressed wording of the constitutional Act. I put this question to the House—I do not put it to the leader of the Government, who after all is only a leader of the Tories in the House—is the absence of the Speaker nominated by the present Government unavoidable?

He says himself it is not unavoidable. I endorse his position, therefore all the legislation that is being passed now is contrary to the Constitution. It is only in case of an unavoidable absence of the Speaker that a substitute can be appointed. I ask why should these proceedings go on in this House in spite of the constitutional fact that the Speaker is not unavoidably absent? If the Hon. Speaker sent to this House a message that he was unavoidably absent, then we would in due course be obliged to appoint a substitute, but no such message has been sent and under the circumstances I ask why he is not replaced officially by an Order in Council? I get no answer.

Hon. Mr. DAVIS—The leader of the House is also unavoidably absent.

Hon. Mr. CLORAN—What am I going to do? I want to place myself within the Constitution. I have no feeling in the matter. The late Speaker is no friend of mine. I am a deadly opponent of his and he is likewise of mine. Here is the Parliament of Canada without a head. What am I

going to do? If I take my seat I cannot talk any more. Does any hon. gentleman prefer to take the responsibility of acting for the Government in this matter? I am simply looking for an answer to my question. In spite of the Sergeant-at-Arms or anybody else, the leader of the House will regret that he used the words he did.

Hon. Mr. GORDON—Order, order.

Hon. Mr. CLORAN—Who is there to call order? On my own side I have been called to order by the leader of the House, the late Sir Richard Scott and Sir Richard Cartwright, but I have lived them down, and I live through the third indignity, the insult was thrown at me by the so-called leader of the Government, to call in the Sergeant-at-Arms to silence me. It would take him and his whole blooming Tory Government to do it. Call in the Sergeant-at-Arms to choke off free discussion. I will stand for no bull-dozing stuff like that. Take that down.

Hon. Mr. WATSON—It is being taken down.

Hon. Mr. CLORAN—That is what I want. Bring me a glass of water; that will be better than Scotch. I am frank and free, I don't go behind or under the table when I want it. I am no hypocrite. I am disposed to be pleased that the Government has taken this position. What I want to know and what the country wants to know, is why the Speaker, nominated by the Conservative Government four years ago, is not in his place to-day. This House is, and this country is entitled to that information. The press of the country have taken hold of the matter, and have put the Senate down, not on the low level, but on the high level of a labour union. The Senate is on strike. I should like to know why it is on strike. One of the members of the Government was asked the question. and he said " I am here in the Senate to act as a peace-maker." I asked him if he came to facilitate the settlement of the dispute between employer and employee, and he said, " Well I am here as a conciliator." What I want to know from the leader of the Government, notwithstanding the fact that I am sorry for him—and he will get that until he dies from me, his policeman and Sergeant-at-Arms don't frighten me a bit—I want to know from the leader of the Tory minority in this House if they are prepared to stand by the actions of their own nominee, Speaker Landry, or not.

Several hon. GENTLEMEN—Orders of the day!

The SPEAKER—Orders of the Day.

CANADA GRAIN ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (S), An Act to amend the Canada Grain Act.

(In the Committee.)

Hon. Mr. BOSTOCK—We have had a considerable amount of discussion about these two clauses, 120a and 120b, and it was thought at one time that we might arrive at some definition that would be satisfactory to hon. gentlemen of this House as to the word "shipper," but after careful consideration it seems that no satisfactory definition can be arrived at. I therefore beg to move:

That in 120a the words "and shippers" be struck out and the word "and" be inserted between "elevator operators" and "water carriers" and that in clause 120b the same amendment be made.

Hon. Mr. LOUGHEED—We had better deal with 120a first, and have the amendment applied to 120a before we consider 120b. I should like to know the sense of the Chamber upon the amendment already moved.

The motion in amendment was carried on a standing vote, contents 17, non-contents 8.

Hon. Mr. BEIQUE—I beg to move that the same clause be further amended by adding the following at the end thereof:

In making such assessment due regard may be had to overages, if any, of grain in the hands of any of the parties concerned.

This is to embody in the first clause the principle that is embodied in the second clause and which is a proper principle. It is merely directing the board that if they find there is a shortage of say 50,000 bushels, but that on account of certain shipments there is a surplusage in the elevator of 50,000 or 60,000 bushels on other shipments, then they may not grant any compensation to the parties who are actually covered.

Hon. Mr. LOUGHEED—I should like to point out to my hon. friend that if this question of overages is to apply at a particular time, namely at the time when the complaint mentioned in the Bill arises, it

destroys, so to speak, the law of overages which must necessarily apply to a condition which is distributed over the entire year. That is to say, there may be an overage in an elevator at a particular time, but the question is as to whether that overage will continue during the whole of the operations of the year as to that particular elevator. If that overage is to be distributed at a particular time when such a complaint is made, then what about the remainder of the year? Supposing other shortages are complained of? The question of maintaining an overage it seems to me must be observed, if you are going to set in motion the distribution of the overage at a specific time. I am not sufficiently familiar with the operation of elevators, but I should judge the question pretty much settles itself in the operations of the elevator distributed over an entire season. I ask my hon. friend if he has considered that point.

Hon. Mr. BEIQUE—I draw attention to the fact that I have not used the word "shall." I do not make it imperative. I merely say that in making such assessments due regard may be had to overages, if any, of grain in the hands of any of the parties concerned. It is in harmony with the clause. The clause is for the purpose of granting relief, leaving it in the hands of the board to grant relief, and it is in order that the board may be empowered to exercise their proper discretion taking into account overages, if there are any.

Hon. Mr. YOUNG—This is a very complicated question, and as the hon. leader of the House has said, very difficult to understand, so that we cannot come to a conclusion, on the spur of the moment. I heartily agree with the amendment that the word "shippers" should be struck out, because he does not participate in any overage in the transaction.

Hon. Mr. CLORAN—But he does in the shortage.

Hon. Mr. YOUNG—Yes; Why should he suffer in the shortage when he does not participate in the overage.

Hon. Mr. CLORAN—That is the point.

Hon. Mr. YOUNG—I wish to disabuse the minds of members of the House on another point which has crept in, and that is that there is a cessation of ownership at Fort William in the transmission of grain—that there is a change of ownership. That is only partly true. Take that large company, the Grain Growers Grain Co., take the Great Northern Elevator Company, take some of the Alberta companies, the Saskatchewan Company, who take grain from the farmers in the interior, and very frequently the ownership continues clean to Liverpool. It is mixed. If there is a better selling price than could be got by exporting it the grain men sell at Fort William, but there is a mixed ownership across the lakes and at Fort William. I may say that the overage or shortage in an elevator is not determined from day to day. It must be done at the close of the season. We provide that there shall be a weigh-up by the Government each year in August, and that weigh-up is like a ledger account in the bank. It will show either an overage or a shortage, as the case may be, some grades long, and some short, and so on. We have a first-class system of handling grain to Fort William, because we have absolute Government inspection. The shipper, whether he continues to own the grain or not, ships his grain to Fort William, and it is graded and weighed by Government officials. He has nothing to say as to the quantity or grade. The Government officials settle that. You can appeal from one board to another, but eventually the Government take absolute control, and govern the quantity and quality. The shipper has to risk the vicissitudes, remember, between his point of shipment, and Fort William. He runs the gauntlet. He has to settle that with the railway people, but once it is there, and he gets a Government certificate, we should pass no legislation which would impair that certificate. Suppose the owner happened to be a large importer in Liverpool, and he said, "No longer is a Canadian Government certificate worth a button, it cannot be relied upon," what position would our grain trade be in? I think we should go further—perhaps not to-day, but at some future time—and supervise the weighing of grain on the east side of the lakes, as we supervise it at Fort William. The Government official hands out the weight to the shipper and he must accept it. It is final. The cargo is put into a vessel and is carried across the lake, and the moment it gets across private individuals weigh it, and they say what that cargo contains and it may be against the certificate of the Government official at Fort William. There are three parties to the transaction, the elevator at Fort William, the carrier and the receiving elevator at this side. If there is a difference in the weight, some one of these

three must benefit in the end. It is hard to determine, because the Government official at Fort William will swear, "I delivered the goods into that vessel;" the captain of the vessel will swear, "I never opened my hatches until I got to port." Yet when the wheat is weighed out it is found to be 1,000 bushels short. The captain has not one word to say at Fort William. He has got to sign up for the full bill.

Hon. Mr. BELCOURT—Why cannot he check it?

Hon. Mr. YOUNG—He can watch, but it is difficult to check. A vessel is in port ready to load. An elevator is notified that that vessel is going to load there and they start elevating the cargo and putting it into the shipping room. The Government official is standing there to see that it is weighed correctly.

Hon. Mr. BELCOURT—Why cannot the captain check the weight?

Hon. Mr. YOUNG—Suppose the checker and the Government official agree, and the vessel comes across the lake and is found to be 1,000 bushels short. Supposing the captain proves he did not take a bushel out of the hatches. The presumption then is that the elevator on this side got the benefit of the thousand bushels. You have no Government official at this end; it is received by a private individual. The Government should step right in and receive that wheat, and then you will have an efficient verification. That is how it should be done. There is a missing link It would be quite easy to say to the Canadian Pacific railway elevator or any elevator on this side of the lake: "We are going to put you under Government supervision and your manager will be an officer of the Government and will have to give bonds and make returns to the Government the same as is done at the elevator at Fort William." If that were done, you would have a disinterested party weighing the grain when it was received on this side of the lake, and it would be a question between a Government official on one side of the lakes, and a Government official on the other. This would give better satisfaction and there would be no shortages. Not long ago, in talking to a prominent elevator man on this side of the lakes, I asked him: "How did your elevator turn out last year?" He had handled a great quantity of grain. His answer was: "My average for the year was 11 pounds short on 100 bushels." That is not very much. My friend the senator from Alberta (Hon. Mr. Talbot) moved the other day for a return showing how the weighing turned out. Now, the overages that my friend talks about should be accounted for in this way. When the Government officer receives grain at Fort William it is weighed accurately. He can do so because he has good machinery for that purpose. The overages should in some way be taken charge of by the Government and placed in the bank account against these shortages that may not be accounted for.

Hon. Mr. LOUGHEED—We propose doing that in the next clause.

Hon. Mr. YOUNG—But the surpluses in the higher grades should be pretty high, because it is very dry, clean grain, and there should be no waste. At any rate my hon. friend's amendment will be preparatory to this further step that is going to be taken next year, because these overages will eventually surely be taken over by the Government and placed in an account so that where a shortage arises that cannot be accounted for, they will assume that the overage will show in the Fort William end, and it will be that much added to that account.

Hon. Mr. BELCOURT—What occasion is there for legislation?

Hon. Mr. YOUNG—These shortages arise. The captain of the boat says, "I did not move a pailful out of that boat; I have delivered you all I got." They want to properly empower the commission to hold court and divide the responsibility between the three parties, who may benefit by it if it is an error. If the commission can find that the error is at Fort William, or at this side of the lakes, or that the captain has wet wheat in the bottom that he cannot deliver, or something else, it is necessary that there should be a revising board of that kind to deal with the matter. I am in favour of that legislation provided it does not go outside reasonably and fairly of what should be provided.

Hon. Mr. LOUGHEED—That amendment comes in at the end of the clause?

The CHAIRMAN—The amendment is that at the end of 120a these words be added:

"In making such assessment due regard may be had to overages if any, in the hands of any of the parties concerned."

The amendment was agreed to.

Hon. Mr. LOUGHEED—Then I move the amendment to subclause 4 as amended.

The motion was agreed to.

Hon. Mr. BOSTOCK—The same amendment will apply to strike out the word "shipper" and insert the word "and" between the elevator and water carrier.

The amendment carried on the same division.

Hon. Mr. LOUGHEED—Then I move the adoption of subclause 5 as amended.

The motion was agreed to.

Hon. Mr. ROSS, from the committee, reported the Bill as amended.

THIRD READING.

Bill No. 122, An Act to amend the Winding-up Act.—Hon. Mr. Lougheed.

NATIONAL TRANSCONTINENTAL RAILWAY ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee on Bill No. 119, An Act to amend the National Transcontinental Railway Act.

(In the Committee.)

On subclause 4 of clause 1.

Hon. Mr. BOSTOCK—The hon. gentleman did not tell us this morning what the arrangement is at the present time with the National Transcontinental and the Grand Trunk Pacific about the operation of that road to Superior Junction.

Hon. Mr. LOUGHEED—The Grand Trunk Pacific for reasons which I need not state, does not propose taking over the railroad at the present time. Negotiations are still going on between the Government and the Grand Trunk Pacific looking to the taking over of the railroad. I may say, hon. gentlemen, that in my opinion there is very little probability of these negotiations resulting successfully, or in a satisfactory arrangement being carried out at an early date; consequently the railroad will have to be operated by some one.

Hon. Mr. WATSON—The whole length of the railroad from Winnipeg to Moncton?

Hon. Mr. LOUGHEED—There is no probability of any other corporation intervening to operate the railroad; the responsibility of maintaining the railroad and preventing it falling into a state of decadence, and operating it in the public interest will, therefore, fall upon the Government.

The CHAIRMAN.

Hon. Mr. BOSTOCK—The Grand Trunk Pacific are operating the railroad from Winnipeg to Lake Superior Junction.

Hon. Mr. LOUGHEED—I understand that is the case.

Hon. Mr. CLORAN—I am glad the Government has come to this decision. The railroad from Winnipeg to Moncton has cost the country hundreds of millions, and at this very late date the Government undertake to operate their own railroad. It is better late than never. This railroad was most expensively, and as far as my experience goes, substantially built. It is probably one of the best constructed railroads on the continent of America. For the past two or three years large sections of that railroad, as the leader of the Government has said, have been allowed to fall into decay. The hon. senator from Mille Iles (Hon. Mr. David) asked that the railroad should be operated in Quebec. It would be better to operate the railroad, even if at a loss, just the same as the country is running the Intercolonial railway from Halifax to Montreal under disadvantageous circumstances.

Canada for 40 years has tolerated these expenditures and voted money to cover deficits in the operation of the Intercolonial railway, without regret, built at a tremendous expense to the country. But here is a new National Transcontinental railway, the best part of which is being operated by a private company, the Grand Trunk Pacific, from the Pacific ocean to Winnipeg, the other half, from Winnipeg to the seaboard, was not an undertaking that any man who wanted dividends for his country would have undertaken. But once the country expended the money to build that road, I think the present Government should not have been so tardy in taking over and operating it for the benefit of the country through which it passes. There may be blame to be attached to the originating of the scheme and the carrying of it through, but the people to-day find more cause for blame in the fact that the Government of the day, having a road fit for use by princes or dukes, as the Canadian Pacific Railway used to say in their first days, has neglected to operate this road on behalf of the people of this country.

The clause was adopted.

On subclause 6:

6. The Government Railways Act shall apply to any line of railway including terminal facilities and accommodation works leased or acquired under this Act.

Hon. Mr. WATSON—Might I ask the minister what position will the Grand Trunk railway west of Winnipeg be in when the Government exercise the power given by this Act. Will they have any priority of right to Lake Superior or will they be shut off at Winnipeg?

Hon. Mr. LOUGHEED—No, there will be a running arrangement between the Government and the Grand Trunk Pacific to the head of the lakes. It will be quite manifest to hon. gentlemen that it is in the interest of both parties that there should be an interchange of traffic, or that running rights should be given. The interest of the public is likewise in the interest of the road.

Hon. Mr. WATSON—I am more interested in the settlers than anything else.

Hon. Mr. LOUGHEED—The interest of the road is so wrapped up in the interest of the settler that he must necessarily be considered. Practically he is the most important factor in the traffic of the road.

The subclause was adopted.

On subclause 8.

8. Any contract for the lease of the said Lake Superior Branch for a term of more than five years, or for the acquisition of the same, shall be subject to the ratification of Parliament.

Hon. Mr. DAVIS—What is the object of making the term five years. Parliament meets every year. If we have any right to ratify it, we might as well ratify it for one year as for five years.

Hon. Mr. LOUGHEED—The Grand Trunk Pacific in leasing this to the Government would certainly desire to lease it for more than one year.

Hon. Mr. DAVIS—It might be that they would want it, but would the country want it?

Hon. Mr. LOUGHEED—That is the object. It would be impracticable to enter into a lease every year, because the Grand Trunk Pacific would not know when it would be thrown back on their hands.

Hon. Mr. WATSON—It seems to me it would be more in order for the Grand Trunk to give the Government running powers over this branch than the Government to give the Grand Trunk Pacific such rignts, because the Grand Trunk with 2,000 miles could furnish more traffic for that road than any accumulation the Government could offer.

Hon. Mr. LOUGHEED—The Government will have to rely upon taking all Grand Trunk Pacific traffic at Lake Superior Junction and carrying it to the head of the lakes.

The clause was adopted.

Hon. Mr. GIRROIR, from the committee, reported the Bill without amendment.

DOMINION ELECTIONS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 110, An Act to amend the Dominion Elections Act.

(In the Committee.)

Hon. Mr. CLORAN—I always thought it was the privilege, the right and the duty of the Speaker, when leaving the Chair, to designate the senator who was to replace him. I have seen the leader of the Government suggest the name of a senator to replace the Speaker.

Hon. Sir MACKENZIE BOWELL—It is always done.

Hon. Mr. CLORAN—He has just done it now. I have understood for the last 15 years that it was the privilege of the Speaker, when leaving the Chair, to designate the senator who would replace him.

Hon. Mr. LOUGHEED—The Speaker looks invariably to the leader of the House to indicate the member whom the leader desires to take the Chair.

Hon. Mr. CLORAN—Never has it occurred in my 15 years' experience except during the last two days. Never has the Speaker waited for any proposition from the leader of the House.

On clause 2:

2. Section 105 of the said Act is amended by striking out of the second and third lines thereof the words: "provinces of Saskatchewan and Alberta and the."

Hon. Mr. DAVIS—What is the meaning of that clause?

Hon. Mr. LOUGHEED—When Saskatchewan and Alberta were territories there was a special provision as to the death of a candidate. Now, since they have become provinces, Alberta and Saskatchewan are placed in the same position as other provinces with respect to the death of a candidate,

and the old arrangement still continues as to the Yukon Territory.

The clause was agreed to.

On clause 5.

The following section is inserted immediately after section 136:

136A. Every employer shall on polling day give to every voter in his employ at least one additional hour for voting other than the noon hour, and shall make no deduction in the pay of such employees nor impose or exact any penalty from any employee by reason of absence during such hour.

2. This section shall apply to railway companies and to the Government Railways and their employees, with the exception of employees engaged in the running of trains and to whom such time cannot be given without interfering with the manning of the trains.

Hon. Mr. BOSTOCK—Can the hon. gentleman tell us why this is asked for? Was it a public demand?

Hon. Mr. LOUGHEED—My recollection is that it has been agitated in labour circles for some years, that the workingmen should be given two hours for the purpose of voting.

Hon. Mr EDWARDS—It is just giving the workingmen a longer time to vote.

Hon. Mr. DAVIS—I suppose the Government have not taken into consideration that there are a great number of railway employees who cannot vote on election day, and also a large body of commercial travellers who are deprived of their vote. While other people, not as intelligent, are allowed to vote. Something should be done in this regard.

Hon. Mr. LOUGHEED—I think at some time we will be progressive enough to make provision for matters of that kind.

Hon. Mr. CLORAN—I do not think that Parliament has any right to make an employer pay an employee for hours when he does not work.

The clause was adopted.

On clause 4:

Section 237 of the French version of the said Act is amended by inserting immediately after the word "donne" in the second line thereof, the following words: "par écrit."

Hon. Mr. BELCOURT—What does that mean? Is that with reference to the official agent? The words " in writing " have been left out of the French version.

Hon. Mr. LOUGHEED—Yes.

The clause was adopted.

On clause 5—form of nomination paper.

Hon. Mr. DAVIS—Will the hon. leader of the House tell me what is the difference between this nomination paper and the old nomination paper? There must be some change in it. I have not got the Act here, but it reads very much like the old one.

Hon. Mr. LOUGHEED—I will look it up for my hon friend.

Hon. Mr. DAVIS—Where is the change?

Hon. Mr. LOUGHEED—Just in the address at the bottom.

Hon. Mr. GIRROIR, from the Committee, reported the Bill without amendment.

DOMINION CONTROVERTED ELECTIONS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole in Bill No. 109, An Act to amend the Dominion Controverted Elections Act.

On clause 2:

Hon. Mr. DAVIS—This Bill is an old friend with a new face. I have been in Parliament 19 years, and every year we find amendments to the Controverted Elections Act. We find a lot of legal minds in the country using their time and brains for days and days to discover the best means for dealing with controverted elections, but I fail to see where they put in as much time to prevent corrupt elections. If they had done that, I presume they would not need this Bill that is now before us. I have not seen any legislation to put an end to the corruption that is taking place in all the constituencies over this country; yet it would be quite simple and easy to do it, and I could suggest a plan whereby they could stop it, or nearly stop it, at once. They should make a law that nobody should go into a constituency to canvass or work but the people who belong to that constituency and the two candidates. Let the candidates go and carry out that election among the people they know, and keep the automobiles and heelers and whisky peddlers and all that sort of thing out of the constituency. If they did that you would have purity of elections. Hon. gentlemen have occupied their time on this Bill, which I understand is for the purpose of getting rid of election petitions more quickly, but I was much surprised the other day when we had a Bill which, if it had gone into

law, would have had the effect of lengthening the time on election petitions. But, as I said, if they would devote the same amount of labour to finding some means to prevent the corruption that is going on in all the constituencies, we would not need to put in so much time on a Bill of this kind. Everybody knows that when an election is on in this country, especially if it is a by-election, Government employees, although paid by the Government of this country to do public work, will be found in constituencies from one end of the Dominion to the other in automobiles peddling whisky and all that sort of thing, and yet no action is taken by the Government to stop it. Look at the election in Macdonald, Manitoba, which was a disgrace to the country. Such men were gathered from the four ends of the country, so that farmers could hardly drive to market with a load of grain because of the automobiles and such things on the highways. If a constituency happens to be near a city, as Macdonald was near Winnipeg, you find four or five hundred autos out in the country on that day. These people have no interest in the election except that they want to support somebody, and they are not taken out for fun. It is pretty nearly time that the Government should make some effort to stop such practices, and it could be done by adopting my suggestion.

The CHAIRMAN—Discussion on the principle of the Bill is hardly in order when dealing with the clauses; it would be in order on the second reading.

The clause was adopted.

On clause 3:

Section 6 and 7 are repealed.

Hon. Mr. BOSTOCK—What is the effect of that repeal?

Hon. Mr. LOUGHEED—Section 6 deals with affidavits, and section 7 with preliminary objections. An object of this Bill is to do away with all preliminary objections.

Hon. Mr. BELCOURT—I should like to go back to clause 2.

2. Section 5 is repealed and the following is substituted therefor:

"5. A petition may be presented to the court by any one or more of the following persons:

(a) A candidate at such election; or

(b) Any person who had the right to vote at such election.

2. The production of the voters' list containing the name of the petitioner as set forth in the petition certified by the Clerk of the Crown in Chancery to be a true copy of the voters' list used at the election in the electoral district to which the petition relates shall be conclusive evidence that the petitioner could lawfully present the petition; and if the petitioner was a candidate at such election, or if there are no voters' lists, an affidavit by the petitioner that he was a candidate or a duly qualified voter at such election, as the case may be, shall be conclusive evidence that the petitioner could lawfully present the petition."

I would commend to the minister the suggestion to substitute for the word "conclusive" in the last line but one the word "sufficient." If you use the word conclusive" this state of things may happen, that upon investigation, when a petition is being tried either on preliminary objections or at the trial itself it may turn out that the petitioner was not really qualified, had no right to bring the petition at all. If we use the word "sufficient" you have all that you need in order to enable the petition to be tried, yet it would not close the door to the other side to show that the petitioner was not qualified. I suggest the word "sufficient" be substituted for the word "conclusive."

Hon. Mr. ROSS (Middleton)—I think that word "conclusive" is the most valuable word in the whole section. The whole object of this Bill is to get rid of this pettifogging work that has been going on in the last 20 years in the courts as to who had the right to file a petition. I know that in our province there has been a great deal of trouble over that. I am quite certain that the joint committee that dealt with this had those Nova Scotia cases in view when they put in those words. Now, once and for all, let us settle this thing, that if the petitioner was a candidate and makes an affidavit that he was a candidate or that he was a voter, that would end it and there would be no more preliminary objection or discussion about it. If he makes a false affidavit he can be prosecuted for perjury. The whole object is to avoid preliminary squabbling and get down to a trial as quickly as possible.

Hon. Mr. BELCOURT—That may be so, but if you use the word "sufficient" you answer all purposes and you do not close the door to showing that the affidavit was false.

Hon. Mr. ROSS—But you do not show it. You do not close the door by a prosecution for perjury.

Hon. Mr. BELCOURT—That is not the point. We are not dealing with a criminal offence now, and the parties have a right

to be protected in their civil procedure as well as in a criminal matter. In the word "sufficient" you have all you require.

Hon. Mr. LOUGHEED—I would ask my hon. friend if that is a real matter of substance? The only object of there being a petitioner is to set the machinery in motion. Does it make any difference whether it is A, B or C that sets it in motion? Should the Act be so complicated as to provide whether "A" should set it in motion, or whether "B" is better qualified, or whether "C" should initiate the proceedings? It seems to me that that does not go to the substance of the matter. The electorate is not interested as to whether the proceeding has been started by the right man or the wrong man; the question is has there been a corrupt or an irregular election.

That I might say is the principle that the committee attempted to embody in the Act, that all those preliminaries are not matters of substance at all, but that the main thing is to get down to the question of the election and as to whether the will of the electorate has been carried out in the candidate who has been declared elected.

The clause was adopted.

On clause 5:

5. Subsection 2 of section 12 is repealed and the following is substituted therefor:

"2. In case any petition is presented, the sitting member whose election and return is petitioned against may, not later than fifteen days after service of such petition against his election and return, file a petition complaining of any unlawful and corrupt act by any candidate at the same election who was not returned or by an agent of such candidate with such candidate's consent or privity. Such petition shall contain such particulars of the complaint therein set out as may be necessary to prevent surprise or unnecessary expense to the respondent and to insure a fair and effectual trial, and may be in form "B" in the schedule to this Act."

Hon. Mr. POWER—What is the change as to the cross-petition?

Hon. Mr. LOUGHEED—That is changed to some extent. For instance, these words have been incorporated in it "such particulars of the complaint therein set out as may be necessary to prevent surprise or unnecessary expense to the respondent and to insure a fair and effectual trial."

The clause was agreed to.

On clause 10:

10. Section 22 is amended by adding thereto the following subsection:

"2. If at any time, upon an ex parte application of either the petitioner or the respondent, it appears to the court that, in the interests of justice, it is desirable that the examination of any witness should be proceeded with forthwith, the court may grant and order for the examination of such witness, and the provisions of sections twenty-three, to thirty, both inclusive, shall, so far as applicable, apply to such witness, his examination and evidence."

Hon. Sir MACKENZIE BOWELL—There seems to be an omission in this clause. I do not see any provision for further investigation where witnesses have left the country for the purpose of avoiding giving evidence. We do know that in many cases witnesses have left the country for that very purpose, and the result has been that in some of the most corrupt elections the candidate has retained his seat because the witnesses could not be reached. I know of cases of that kind and where the candidate was asked how it was he succeeded in retaining his seat and he very quietly said, "The witnesses could not be obtained, they were in the United States." We live so close to the border of a foreign country that witnesses can easily be got rid of. I can give a number of instances of that kind both in the province of Quebec and the province of Ontario. If there is a provision in the law that gives power to a judge to postpone the trial until these witnesses are secured, I do not see it in this section; there may possibly be such a provision in the common law.

Hon. Mr. LOUGHEED—The court would always have authority to adjourn the case.

Hon. Mr. CLORAN—I call attention to the fact that legislation is being passed and there is no quorum.

The CHAIRMAN—There are 16 members on the floor of the House.

Hon. Mr. CLORAN—The committee has been passing legislation with only 12 members present.

Hon. Mr. ROSS (Middleton)—I think there is machinery provided for the trouble the hon. member speaks of. I refer to section 20, subsection 2. If witnesses should disappear, that fact would be brought to the attention of the court and it would stand over until they could be obtained.

Hon. Mr. LOUGHEED—That is provided for.

The clause was adopted.

On clause 13 (section 65 of the Act)—Deposit in case of appeal.

Hon. Mr. BOSTOCK—This clause refers to the deposit and states that such deposit may be made in legal tender or in bills of any chartered bank doing business in Canada. Why is there a difference there in regard to a deposit? Clause 3 says "Such deposit may be made in gold coin, Dominion notes or in the bills of some chartered bank doing business in Canada." Why is there a difference in the wording?

Hon. Mr. LOUGHEED—It is the same thing.

Hon. Mr. POWER—It seems the same thing.

Hon. Mr. BOSTOCK—I do not see why it was necessary to refer to Dominion notes and gold in one case and not in the other.

Hon. Sir MACKENZIE BOWELL—There have been cases in which the judge has thrown out the petition because the deposit was made in bank notes. It was declared not to be a legal deposit.

Hon. Mr. LOUGHEED—The statute defines what legal tender is.

The clause was adopted.

On clause 15. (Section 80 is repealed.)

Hon. Mr. LOUGHEED—That section deals with abatement by death of the petitioner and the substitution of a new petitioner.

Hon. Mr. BOSTOCK—No provision to take the place of 80.

Hon. Mr. LOUGHEED—Oh, yes, a substituted petitioner may be brought in.

Hon. Mr. CLORAN—Yes, if he is unavoidably absent.

The clause was adopted.

Hon. Mr. Thompson, from the committee, reported the Bill without amendment.

CONTINGENT ACCOUNTS OF THE SENATE.

CONSIDERATION POSTPONED.

Hon. Mr. POWER moved the adoption of the Tenth Report of the Committee on Internal Economy and Contingent Accounts.

He said: The report is a very brief one and I trust will meet with the approval of the House. The first clause of the report provides that the recommendation of his Honour with respect to the three persons named, Messrs. Garneau and Larose and Miss O'Brien, be concurred in. Inasmuch as this recommendation of His Hon. the Speaker follows a request of the House that he should make it, the committee of course recommends that it be adopted. Then the report recommends that the recommendations with respect to Mr. C. H. Jones and Mr. Byron Nicholson be adopted, provided that such adoption be not held to be a precedent. In this case there is a good deal to be said against the recommendation; but, with a view of promoting harmony, the committee have agreed to recommend that his honour's recommendation with respect to these two gentlemen be concurred in. Paragraph 3 is that the recommendation with respect to Mr. A. L. DeMontigny and R. A. Benoit be not concurred in, and the reason is that the House is precluded from concurring.

The committee presented their seventh report on the 31st March. That report dealt with the recommendations of His Honour the Speaker that Mr. Demontigny be transferred and that Mr. Benoit succeed him, and that they be placed in higher classes than they were in. That recommendation was referred to the committee, and they reported in their seventh report, which is to be found at page 268. Mr. Benoit has already been graded in the House of Commons and we did not think that the grading should be disturbed. This report of the committee was adopted by a very considerable majority of the House. The committee could not recommend the reversal of the decision of the House, if for no other reason, on account of the existence of the following rule which hon. gentlemen will find at page 368:

> "An order or resolution or other vote of the Senate may be rescinded: but no such order, resolution or other vote may be rescinded unless five days' notice be given and at least two-thirds of the Senators present vote in favor of its recision provided that to correct irregularities or mistakes, one day's notice only shall be sufficient.

In the face of the solemn resolution of the Senate and of this rule, it is felt that we are not now in a position to deal with the recommendation with respect to the translators. At another session, perhaps, there may be a chance to do it. I have the honour to move, seconded by the hon. Mr. Thompson, that this report be now concurred in.

Hon. Sir MACKENZIE BOWELL—Would the hon. gentleman have any objection to allowing the consideration of this report to be postponed until Monday? My reason for asking is that I have not given it that close attention that the com-

mittee have. I was under the impression that the clerk having made such a report to the Speaker, and the Speaker having made certain recommendations, amicable arrangements could be come to and the whole matter settled without any further difficulty. I must confess that I noticed for the first time the rule which my hon. friend refers to, and I should like to have a little time to look into it. The committee, I understand, have simply re-affirmed, notwithstanding the report of the Clerk to the Speaker, their former decision.

Hon. Mr. POWER—Yes.

Hon. Sir MACKENZIE BOWELL—My hon. friend says that they have done that. It is out of the province of the Senate to change that report in the line of the recommendation of the Clerk and the Speaker until five days' notice has been given. It is unfortunate that we should have these troubles. Of course, if my hon. friend declines, I shall simply move that the order be discharged and set down for Monday at the first session.

Hon. Mr. POWER—Hon. gentlemen, the hon. member for Hastings has asked me a question.

Hon. Mr. CLORAN—I have the floor and I do not want the senator from Halifax to be putting me out of business.

The SPEAKER—You ought to give the member for Halifax an opportunity to answer the question.

Hon. Mr. POWER—While I regret that there should be any further delay and that this condition of tension which has existed for a long time now should continue further, still in the face of the serious nature of the request of the hon. gentleman from Hastings and his standing in the House, speaking as one of the members of the committee, I am satisfied that the report should stand over until Monday.

Hon. Mr. CLORAN—There are two motions before the Chair.

The SPEAKER—Moved by the Hon. Sir Mackenzie Bowell, seconded by Hon. Mr. Baird, that this question be postponed until Monday at the first sitting of the House.

Hon. Mr. CLORAN—I am in favour of the motion of the hon. member for Hastings, but Monday morning will be just as bad as this afternoon. There is barely a quorum present now. There are only sixteen members on the floor of the House. If I were the leader of the Government and I saw such a thin House, I would move an adjournment and would not allow legislation to be passed by such a slim House. I would ask the hon. senator to make his motion for Monday afternoon.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. CLORAN—I want to give the members from Brockville, Montreal and Toronto a chance to be here.

Hon. Mr. WATSON—They should stay here.

Hon. Mr. CLORAN—They are not here and why should this House decide questions with a bare quorum?

Hon. Sir MACKENZIE BOWELL—I have no objection, if the Senate is willing, to have it for Monday afternoon, but the motion is in the hands of the Speaker.

Hon. Mr. CLORAN—You can make the motion to read Monday afternoon.

Hon. Sir MACKENZIE BOWELL—I have made my motion and it is in the hands of the Speaker.

Hon. Mr. CLORAN—I ask in order to safeguard the interest of the members who are absent to have it Monday afternoon.

The motion was adopted.

The Senate adjourned until 11 o'clock Monday.

THE SENATE.

Monday, April 12, 1915.

The Acting SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

THIRD READINGS.

Bill (119,) An Act to amend the National Transcontinental Railway Act.—Hon. Mr. Lougheed.

Bill (110,) An Act to amend the Dominion Elections Act.—Hon. Mr. Lougheed.

Bill (109,) An Act to amend the Dominion Controverted Elections Act.—Hon. Mr. Lougheed.

CONTINGENT ACCOUNTS OF THE SENATE

CONSIDERATION OF TENTH REPORT POSTPONED.

The Order of the Day being called:

Consideration of the tenth report of the Standing Committee on the Internal Economy

and Contingent Accounts of the Senate.—Hon. Mr. Power.

Hon. Mr. LOUGHEED—I have been asked on behalf of the Speaker, who is unavoidably absent, to allow the report to stand until this afternoon. I hope the House will see its way to accede to the request.

Hon. Mr. CLORAN—Why did not the hon. leader accede to my request when I asked him to do the same thing?

Hon. Mr. POWER—I do not object to allowing the controversial matter in this report to stand, but hon. gentlemen will notice that the first paragraph of the report (page 458 of the Minutes) is one in which the committee recommend that the recommendations of His Honour the Speaker with respect to the cases of A. F. Garneau, F. H. Larose, and Miss K. C. O'Brien be approved and concurred in. That is a matter to which there is no difference of opinion, and I think it would be better to adopt the first paragraph and let the controversial matters stand until this afternoon.

Hon. Mr. CLORAN—I do not think anything of the kind. That report has to be taken as a whole, and not piecemeal. By adopting the first paragraph, we would be endorsing the principle, and accepting the report as a whole. I am opposed to that. I think the Speaker is opposed to it also, and any hon. gentleman in this House who has respect for the Chair will oppose it—not that we are opposed to the recommendations in the report, but because we think the report should be considered as a whole, and not as a piecemeal report.

Hon. Mr. BOSTOCK—I should like to point out in connection with this report, that clause 2 of the report, if adopted as it stands, would put the Senate in a peculiar position.

The Senate adopted report No. 6, of the Internal Economy and Contingent Accounts Committee:

6. That Mr. Siméon Lelièvre, second clerk assistant, act as clerk of petitions and clerk to the Committee on Standing Orders.

Now this report on page 458 would put Mr. C. H. Jones, who has been doing this work up to the present time, in the position of continuing to do that work and also acting as Clerk of the Minutes. The position, therefore, would be that the House, having adopted a report on the 6th April, appointing Mr. Siméon Lelièvre—

Hon. Mr. LOUGHEED—Without desiring to interrupt my hon. friend had we not better determine the question whether we shall postpone consideration of the report until this afternoon, or take it up item by item now?

Hon. Mr. BOSTOCK—I was only pointing out that we will be in a peculiar position.

Hon. Mr. LOUGHEED—I move that the report stand over until the afternoon sitting.

The motion was agreed to.

DELAYED RETURNS.

Hon. Mr. BOSTOCK—This House, on my motion of March 25, page 320 in the Minutes) ordered a return from the Finance Department about trust companies. I should like to ask the hon. leader of the Government whether there will be any chance of getting that return before prorogation.

Hon. Mr. LOUGHEED—I will make inquiry at once about that.

The Senate adjourned until three o'clock this afternoon.

Second Sitting.

The Acting SPEAKER (Hon. Mr. Bolduc) took the Chair at Three o'clock.

Routine proceedings.

ABSENCE OF SENATOR LANDRY.

Hon. Mr. CLORAN—Before the Orders of the Day are called I wish to rise to a question of high, if not supreme, constitutional privilege, notwithstanding the fact that I am still at large and not in the toils of the Sergeant-at-Arms. I wish to call attention to the fact that constitutionally this branch of Parliament is without an official head—a very important question to raise, and a very serious question to decide. On the 8th of this month, the Hon. Speaker declined, although within the precincts of the House, to take his official chair. When the members of the House met in the Chamber they were informed by one of the officials of the House that the Hon. Speaker was unavoidably absent. That is my question of privilege. The statement to my own personal knowledge, was erroneous. The Speaker was not unavoidably absent, according to his own testimony, yet the statement was made to the House that he was unavoidably absent. If that had been the fact, it became the duty of any member of the House to nominate a suppleant—some-

body to fill his place which was done. That was accomplished under a mistake of facts, not borne out by the testimony of the only man who could prove it, the Hon. Speaker himself. The statement made by the official of the Senate that he was unavoidably absent was not correct. He was absent it is true, but not unavoidably absent. Now, the constitution lays down the rule that the Speaker can only be replaced when he is unavoidably absent. That element is lacking in the condition of affairs to-day. He was not unavoidably absent any more than he is now, behind those doors there. If this is not transgressing the constitution I should like to know what transgressing is. In the beginning of this dispute I put the House on its guard, reminding them that all the proceedings and all the legislation passed under these conditions could be appealed from and upset in any court of justice. We are not acting legally, or constitutionally since the 8th of April. I am not appealing to the leader of the Government on this question. He has nothing to do with it any more than any other senator. It is for the House to maintain its dignity, to maintain its power without restriction, and to maintain it in regard to the future consequences.

Hon. Mr. BEIQUE—Has the hon. gentleman a motion to make?

Hon. Mr. CLORAN—I am calling the attention of the House to a high and supreme constitutional question.

Hon. Mr. BEIQUE—I am asking the hon. gentleman if he has a motion to make or a remedy to suggest?

Hon. Mr. CLORAN—Is it necessary to make a motion on a question of this kind? I say no. I am calling the attention of this hon. House to these facts without making a motion.

Hon. Mr. WATSON—What about the remedy?

Hon. Mr. CLORAN—We will get the remedy later.

Hon. Mr. BEIQUE—The Speaker is absent. Has the hon. member any means to suggest of bringing in the Speaker?

Hon. Mr. CLORAN—I am calling the attention of the hon. House to an anomalous and unconstitutional condition of affairs.

Hon. Mr. WATSON—What is the remedy?

Hon. Mr. CLORAN—The remedy is for the Government to appoint a new Speaker If the Speaker of the House declines to sit, then it is the duty of the Government, and not of the House, to replace him. That is the constitutional question. We have no right to replace His Honour the Speaker who is not, according to the constitution, unavoidably absent, but we can call upon the Government to perform its obligation towards Parliament and nominate a new Speaker. Why have we not done so? That is the point. Cannot the hon. senator from De Salaberry see that, as a constitutional legal man of great ability? It is up to the Government, once an officer declines to perform his function, to replace him and name a new man. Now the Government has not done that. The House has undertaken illegally, irregularly and unconstitutionally to replace him, and all I am doing now is to place it upon record, for the benefit of lawyers to come and of future legislators, that the legislation that has been passed and all proceedings that have been adopted by this House since the 8th of April last are absolutely irregular, illegal and unconstitutional.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

The Order of the Day being called:

Consideration of the tenth report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. POWER: This report has been already discussed to a certain extent. It is short, and though hon. gentlemen are familiar with it, I shall read the three paragraphs which will be found on page 458 of the Minutes:

Your committee have considered the reports of the Clerk of the Senate, dated the 9th of April, instant, and the recommendations thereon of His Honour the Speaker, referred to your committee on the 9th instant, and now beg to recommend:

1. That the recommendations of His Honour the Speaker, with respect to the cases of Mr. A. L. Garneau, Mr. Charles H. Larose and Miss K. C. O'Brien, which recommendations are based on reports of the Clerk of the Senate, dated the 9th of April, instant, be approved and concurred in.

2. That the recommendation with respect to Mr. C. H. Jones, and Byron Nicholson, be adopted, provided that such adoption shall not be held to constitute a precedent.

3. That recommendations with respect to Mr. A. L. de Montigny and Mr. R. A. Benoit be not concurred in. This question was dealt with in the seventh report of the committee, adopted by the Senate on the 1st instant.

As to the first paragraph I do not suppose there can be any division of opinion in the committee. His Honour the Speaker made recommendations with respect to these three servants of the House, Mr. Garneau, Mr. Chas. Larose and Miss O'Brien. Those recommendations were based on reports from the Clerk of the Senate, and are concurred in and approved of by the committee. As a matter of convenience it would be better to take up the report clause by clause. I therefore move that the first clause be concurred in.

Hon. Mr. CLORAN—If the committee find it a duty to concur in one-third or one-fourth, or one-half the recommendations of the Speaker, I do not see why they did not endorse other recommendations which he has made to this honourable House. The adoption of this report piecemeal is not fair to His Honour the Speaker. It is not fair to him, because the committee accept certain of his recommendations and reject others. I hold that the Senate should stand by the dignity of the Senate—I will not say the Speaker, for he is to be here for only two or three days. He is not standing for his personal rights merely; he has been demanding respect for the right of the Chair under the law. The committee comes here with a halfway measure, in a picayune way, and says to the Speaker, "Well, you are right with regard to three recommendations, and wrong with regard to others." That is no way to deal with the Chair. I regret that this House has not been able to appreciate the stand which the Speaker has made with regard to the rights of the Senate. It has been treated as a personal matter, more or less. As I stated on a former occasion, I am no political friend of the Speaker, but I am with him in regard to law, and if he is right in regard to some of these recommendations, he must be right in regard to the balance, according to law.

Hon. Sir MACKENZIE BOWELL—My impression is that the suggestion made by the hon. gentleman from Halifax is a correct one; more particularly when there is a portion of the report which the House may approve of. To move the adoption of the report en bloc would compel one to vote against the report because he did not approve of one particular paragraph though approving of the others. I intended to make the suggestion myself that the report be considered clause by clause. I am speaking for myself merely, but others may be of the same opinion. I concur in the first two paragraphs; I have objections to the third paragraph. When it comes up for consideration it can be discussed and rejected or approved.

The motion was agreed to, and the first paragraph was adopted.

Hon. Mr. POWER—The second paragrap! reads as follows:—

2. That the recommendations with resepct to Mr. C. H. Jones and Mr. Byron Nicholson, be adopted, provided that such adoption shall not be held to constitute a precedent.

I may say that this paragraph is, to a certain extent, in conflict with the previous action of the House, but the members of the committee were so anxious to promote harmony in conducting the business of the House, that even though they had some doubt as to the complete propriety of their course, they made this recommendation. I move that the second paragraph be concurred in.

Hon. Mr. BOSTOCK—Before that motion is put I want to deal with the question I raised this morning. If hon. gentlemen will look at page 416 of the Minutes they will find that when the sixth report of the Standing Committee on Internal Economy was adopted, the sixth paragraph of that report read as follows:—

That Mr. Siméon Lelièvre, second clerk assistant, act as clerk of petitions and clerk of the Committee on Standing Orders.

That report was adopted by the Senate. The recommendation with which this present report deals, which was put before the House by the previous Speaker and which appears on page 452 of the Minutes says:—

1. That Mr. C. H. Jones, clerk, succeed Mr. Soutter, superannuated, and in addition to his present duties, take charge of the minutes.

Now I understand that Mr. Jones at present is Clerk of Petitions and Clerk of the Committee of Standing Orders. Therefore, if we accept this paragraph of the report of the committee we will be appointing two clerks to do the same work. We have already appointed Mr. Siméon Lelièvre to do that work, and we are now asked to appoint Mr. Jones to do the same work. If it is the desire of the House that the sixth report of the committee should be altered so that we can adopt this paragraph, then I submit that under our rules we ought to give notice and rescind the sixth paragraph of that report of the Internal Economy Committee already adopted by the Senate.

Another way would be to simply strike out the name of Mr. C. H. Jones in the second paragraph of this report; and in order to put the matter straight I make that motion in amendment. The motion would then read:

That the recommendations with respect to Mr. Byron Nicholson be adopted, provided that such adoption shall not be held to constitute a precedent.

Hon. Sir MACKENZIE BOWELL—I must confess I do not know what that recommendation is.

Hon. Mr. BOSTOCK—The present report deals with the recommendation of the Speaker, given on page 452 of the Minutes, and the immediate way of dealing with it, I submit, would be to strike out the words, "Mr. C. H. Jones and" in the motion as it stands——

Hon. Mr. DANIEL—Supposing this motion is carried, would the hon. leader of the Opposition kindly explain to the House what would be the different duties of Mr. Jones and Mr. Lelièvre?

Hon. Mr. BOSTOCK—The position, as I understand it, then, would be that, having already adopted the 6th report of the Internal Economy Committee, which appointed Mr. Jones to succeed Mr. Soutter, as Clerk of the Minutes, and Mr. Siméon Lelièvre, second clerk assistant, to act as Clerk of Petitions, and Clerk of Committee on Standing Orders; there would be a division of duties.

The motion agreed to.

Hon. Mr. LEGRIS—I move in amendment to that motion that the 10th report of the Standing Committee on Internal Economy and Contingent Accounts be not accepted, but that the recommendations made and presented to this House on the 9th of this month, and signed by the Clerk of the Senate, and by His Hon. the Speaker of the Senate, be accepted and adopted as they stand.

The SPEAKER—I declared the motion carried. The hon. gentleman must wait until the 3rd paragraph has been considered.

Hon. Mr. LEGRIS—I was on my feet before the motion was put, and I think the Speaker was too hasty in declaring the motion carried.

Hon. Mr. DANIEL—It has been decided already to take up this report, section by section, and that is what we are doing. The amendment would not be in order.

Hon. Mr. THOMPSON—We have already adopted the 2nd paragraph.

Hon. Mr. POWER—The motion of the hon. gentleman from Repentigny (Hon. Mr. Legris) is altogether irregular. In the first place the hon. gentleman's motion proposes to rescind the action taken by this House on two occasions, first, when we referred this report of His Hon. the Speaker to the Committee on Internal Economy, and then again, when we decided to deal with the report now under consideration clause by clause; and it is perfectly clear that you cannot, in the middle of the consideration of the report, propose that we shall adopt, in place of this report, some other report which is contrary to the previous decisions of the House. I have the greatest respect for the opinion of the hon. gentleman from Repentigny, but I must say that that would be a most irregular proceeding.

Hon. Sir MACKENZIE BOWELL—The motion made by the hon. gentleman, perhaps with a slight change, is quite in order. He could move that the third paragraph of this report be not concurred in, but that it be referred back to the committee for further consideration.

Hon. Mr. POWER—That would be all right.

Hon. Sir MACKENZIE BOWELL—I understood his amendment was to send the whole report back. We have concurred in the first two paragraphs. The hon. gentleman could make a motion that the third recommendation be not accepted, but that it be referred back to the committee with instructions to do so-and-so.

Hon. Mr. THOMPSON—No objection to doing that.

Hon. Mr. CLORAN—The opponents of that report have been caught in a trap. Now the friends of the report are protesting against the amending of their report clause by clause. The trap was clear to me, but I would not be caught in it. The hon. gentleman from Repentigny (Hon. Mr. Legris) is perfectly within his rights in moving the amendment to the second clause, and when he states on the floor of the House that he was on his feet in time to move it, in spite of the decision of the Chair, I say he was right, because I was looking at both of them.

Hon. Mr. WATSON—At the one time?

Hon. Mr. CLORAN—Yes, I have two eyes. If the hon. gentleman from

Repentigny (Hon. Mr. Legris) wishes to press his motion, he is perfectly in order, but let me tell the opponents of this report that they are in a trap, and will have hard work to get out of it.

The SPEAKER—Will the hon. gentleman change his amendment in the direction suggested by the hon. gentleman from Hastings?

Hon. Mr. CLORAN—The Speaker has no right to make that suggestion.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—The Speaker is not a debater.

Hon. Mr. LEGRIS—My motion may be amended by adding "excepting the first paragraph," applying it to the 2nd and 3rd paragraphs, the first paragraph having been adopted.

The SPEAKER—The hon. gentleman from Repentigny (Hon. Mr. Legris) has moved, seconded by the hon. gentleman from Ottawa (Hon. Mr. Belcourt), that paragraphs 2 and 3 of the 10th report of the Standing Committee on Internal Economy and Contingent Accounts be not accepted, but that the recommendations presented to this House on the 9th of this month, and signed by the Clerk of the Senate and by His Honour the Speaker, be accepted and adopted as they stand.

Hon. Mr. DANIEL—We have already adopted paragraph 2, and consequently the amendments are out of order.

Hon. Mr. BEIQUE—Has the Speaker declared paragraph 2 adopted? I do not so understand it.

The SPEAKER—I said it was concurred in.

Hon. Sir MACKENZIE BOWELL—Strike out the word "two" and make it read the "3rd paragraph."

Hon. Mr. LEGRIS—I will accept that.

The House divided on the amendment, which was rejected on the following division:

Contents:

The Hon. Messrs.

Béique,	Girrior,
Belcourt,	LaRivière,
Bowell (Sir Mackenzie),	Lavergne,
Cloran,	Legris,
Desaulles,	Poirier,
Forget,	Tessier—12.

Non-Contents:

The Hon. Messrs.

Baird,	Mitchell,
Beith,	Owens,
Bostock,	Power,
Boyer,	Ratz,
Daniel,	Ross (Middlesex),
Davis,	Ross (Middleton)
Dennis,	Talbot,
Farrell,	Thibaudeau,
Gillmor,	Thompson,
Lougheed,	Watson,
McCall,	Yeo—23.
McKay (Cape Breton),	

The motion to adopt the third paragraph of the report was agreed to on a division.

Hon. Mr. POWER—I move the adoption of the report as a whole, as amended.

Hon. Mr. BELCOURT—I should like to know what the effect of the adoption of the report will be.

Hon. Mr. POWER—That the report will be adopted as a whole.

Hon. Mr. BELCOURT—That is a very wise remark, coming from the chairman, who has manœuvred this whole thing.

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman has no right to attribute manœuvres to me. I never did any manœuvreing. Whatever I did, I did in the open day; and I am not going to allow any hon. gentleman to use such language about me.

Hon. Mr. BELCOURT—It was because the manœuvers were made in the open day that I made the assertion. Are De Montigny and Benoit not to be employed?

Hon. Mr. POWER—Yes they are to be employed, and at good salaries, too.

The motion was agreed to on a division.

SUPPLY BILL NO. 1.

BILL INTRODUCED.

Hon. Mr. Lougheed introduced Bill No. 123, An Act for granting to His Majesty certain sums of money to the public service for the financial years ending respectively 31st March, 1915, and the 31st March, 1916.

Hon. Mr. BOSTOCK—Can the hon. gentleman say what is the total amount of the Bill?

Hon. Mr. LOUGHEED—Yes. I should read this statement then hand it in so that it may appear on the Senate Debates in

order that hon. gentlemen may peruse it very much more satisfactorily at leisure than considering it momentarily. It is as follows:

Appropriation Act No. 1, for 1914-15 and 1915-16.

1914-15.

Schedule A, being composed of items in—		
(a) Supplementary Estimates, vote numbers 380 to 382 for seed grain relief to settlers in Alberta and Saskatchewan, and to distressed Canadians abroad..	$10,401,958 25	
(b) Further Supplementary Estimates for various services, vote numbers 383 to 451..	4,364,541 14	
Both of the above have been passed by the House of Commons during the present session and for the fiscal year ended March 31,1915, chargeable to—		
Consolidated Fund $13,227,653 78		
Capital Fund.. 1,538,845 61		
Totals for 1914-15 ..$14,766,499 39		$14,766,499 39
The Appropriation Acts of last session provided for the services of the year just closed, 1914-15, voted and chargeable to—		
Consolidated Fund.. ..$125,105,249 52		
Capital Fund.. .. 51,721,765 00		$176,827,014 52
The schedule (A) now before the House provides an additional amount by vote for the year 1914-15, as above stated.		14,766,499 39
Total amount voted for the year 1914-15 of		$191,593,513 91
The estimated amount authorized by statute, 1914-15, was..		31,291,657 73
Total amount voted and authorized by statute for the year 1914-15..		$222,885,171 64

Summary, 1914-15.

Voted for Consolidated Fund last session ..$125,105,249 52		
Voted for Consolidated Fund this session .. 13,227,653 78		$138,332,903 30
Estimated statutory expenditure		31,291,657 73
Total authorized for Consolidated Fund..		$169,624,561 03
Voted for Capital Fund last session.. .. .	$51,721,765 00	
Voted for Capital Fund this session.. .. .	1,538,845 61	$53,260,610 61
		$222,885,171 64

1915-16.

Schedule B is composed of the Main Estimates presented and passed by the House of Commons during the present session, votes numbered 1 to 379 inclusive, for the fiscal year ending March 31, 1916, and chargeable to—		
Consolidated Fund.. ..$105,766,718 57		
Capital Fund.. .. 44,092,075 00		$149,858,793 57
Schedule C is composed of the Supplementary Estimates for the fiscal year ending March 31, 1916, presented and passed by the House of Commons, votes numbers 452 to 497 inclusive, and chargeable to—		
Consolidated Fund $4,600,140 16		
Capital Fund. 2,037,400 00		6,637,540 16
Making a total amount voted for services of 1915-16 of ..		$156,496,333 73
The estimated amount authorized by statute for 1915-16 is.		40,367,183 49
Total voted and statutory for 1915-16..		$196,863,517 22

Summary, 1915-16.

Total voted Schedule B for Consolidated Fund.. .. .. ..$105,766,718 57		
Total voted Schedule C for Consolidated Fund.. .. .. 4,600,140 16		$110,366,858 73
Estimated statutory expenditure		40,357,183 49
Total for Consolidated Fund..		$150,734,042 22
Total voted Schedule B, Capital Fund..$44,092,075		
Total voted Schedule C, Capital Fund.. 2,037,400		46,129,475 00
Grand total, 1915-16..		$196,863,517 22

The Senate adjourned until to-morrow at 11 a.m.

THE SENATE.

Tuesday, April 13, 1915.

The Acting SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

DISQUALIFICATION OF SENATORS ROBERTSON AND MACDONALD.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. POWER presented the report of the Committee on Orders and Customs of the Senate and Privileges of Parliament, to whom was referred the report of the Clerk relative to the absence of the Hon. Jas. E. Robertson, and the Hon. W. J. Macdonald, during two consecutive sessions of Parliament, and moved that the report be concurred in.

Hon. Mr. CLORAN—The report states that no good reason has been given by Dr. Robertson for his absence. I should have liked—and I think a great many other senators would have liked—to know what is meant by the expression " no good reasons." We have not the reasons to criticise, but the committee says that no good reasons are given. The committee must understand that they are not the final judge in a matter of this kind. It must be decided by the whole House in full session. In this report we are blandly told that the Hon. Dr. Robertson has given no good reason why his seat should not be vacated. I do not appeal to the Government—because they have nothing to do with it—but I appeal to the House to see that the rights and privileges of the active members of this Chamber should be protected. I am not asking any favour for Dr. Robertson, but the committee should have placed before the House his letter, or whatever explanations he gave. It is not for the committee to say that the reasons are no good.

Hon. Mr. DANDURAND—He gave no reasons.

Hon. Mr. LOUGHEED—I might say, in answer to what has already been said, that the words " no good reason " are a clerical error in the report. No reason whatever has been given.

Hon. Mr. CLORAN—That is something sensible. It is just as well to call attention to the expression used.

Hon. Mr. DANDURAND—The report will be corrected in that respect.

The report was amended, and concurred in.

Hon. Mr. LOUGHEED—I move the resolution declaring the seats of the Hon. Dr. Robertson, and Hon. W. J. Macdonald vacant.

Hon. Mr. CLORAN—The hon. gentleman cannot proceed with his motion without giving notice. I ask for a ruling on that point.

Hon. Mr. POWER—This is a matter affecting the privileges of the House, and a question which affects the privileges of the House is always in order. No notice is required.

Hon. Mr. CLORAN—I should like the hon. gentleman to point out in any of our books his authority, statutory or otherwise, for his position. If the hon. leader of the House proceeds with this resolution without giving notice, he is doing so against the rights and rules of the House.

Hon. Mr. DANDURAND—This motion requires no previous notice. It is simply a consequential motion which necessarily follows the report.

The motion agreed to.

Hon. Mr. LOUGHEED—I move that a copy of the resolution——

Hon. Mr. CLORAN—Wait a minute; the former motion was not carried.

Hon. Mr. LOUGHEED—The Chair declared it carried, and I move that a copy of the said resolution be presented to His Royal Highness by such members of this House as are members of the Privy Council.

Hon. Mr. CLORAN—I really do not understand the attitude of certain members of this House; still I can pass it over. I have had on the Order Paper notice of a resolution dealing indirectly with this situation. I was going to drop it to-day in view of the resolution brought up in the committee in regard to Hon. Dr. Robertson's seat. I have nothing to say with reference to the Hon. Mr. Macdonald's seat. That became ipso facto according to our constitution, vacant, but I have held and still hold that the seat of the Hon. Dr. Robertson is not yet vacant, and will not be until the present session of Parliament prorogues. I hold—as a great many other people hold—that an extraordinary session for any purpose, whether it be a war session or a session to award a railway contract——

Hon. Mr. TAYLOR—I rise to a point of order.

Hon. Mr. CLORAN—Is that a part of the trap?

Hon. Mr. TAYLOR—If the hon. gentleman takes his seat I will tell him.

Hon. Mr. CLORAN—I hope the hon. gentleman will say something sensible.

Hon. Mr. TAYLOR—There is nothing before the Chair.

The motion was declared carried.

Hon. Mr. LOUGHEED—There was another motion.

The SPEAKER—The last motion has not been declared carried, but I hope the hon. gentleman will speak to the point.

Hon. Mr. CLORAN—That is what I am doing. Is the hon. senator who interrupted me satisfied that the motion is not carried, and that I have a right to speak to the motion?

Hon. Mr. TAYLOR—The hon. gentleman has a right to speak to the motion. I thought it was carried.

Hon. Mr. CLORAN—I am not responsible for the hon. gentleman's thoughts.

Hon. Sir MACKENZIE BOWELL—I do not think the hon. gentleman is responsible for anything.

Hon. Mr. CLORAN—I hold that this recommendation to the Governor General declaring the seat of the Hon. Dr. Robertson vacant, and to have it refilled, is not within the power or jurisdiction of this Parliament at the present moment. I hold—and my contention has not been yet upset by any authority—that an extraordinary session called by any Government cannot, under the constitution, become a session for the purpose of disqualifying any hon. member of this House. To admit such a proposition would be to admit a dangerous practice and dangerous principle. It may happen in the course of the year that any Government may be obliged to call a special session of Parliament to meet an emergency. That session of Parliament might last only two or three days, just as the one did last August. The Government called Parliament together last August to pass an appropriation of $50,000,000 for war purposes. Suppose a month after that—which might happen—the $50,000,000 were all spent, the Government would be justified, in fact would be obliged, to call Parliament together again to vote more money, and that session might not last longer than 24 hours. Who is going to contend, in the face of the constitution, that these two sessions, called for extraordinary purposes, should constitute regular sessions of Parliament, absence from which would necessitate the disqualification and unseating of a senator? I leave that to the common sense of the members of this House. That might have happened last fall. Two sessions could have been called inside of 30 or 60 days, giving the members of Parliament the barest notice, sufficient to get them here to attend to the business of the nation. There was a hurried call last August. Supposing another session had been called hurriedly, the result might have been the disqualification of nearly half the members of this House. The hon. gentleman from Fredericton, the hon. member from Rothesay and many other senators who were doing their best to get here, were not able to be present. That meeting of Parliament lasted only two or three days. Some of the members were absent from home on legitimate business; some of them were in foreign countries, and unable to reach here in time. Will hon. gentlemen contend, under these circumstances, that these hon. members should be disqualified? If you do, then you will simply abdicate your powers and your rights and privileges. I do not want to be caught in those difficulties. I will be on hand whenever the Governor General calls on me, if God gives me health and strength; but if I were called away on legitimate business, for instance to the Antipodes or to Europe or Asia, and could not get back here on a week's notice, or even on thirty days' notice, I could still be here in time for part of a regular session. This is a matter of common sense, of fair play, and of common honesty to yourselves, hon. gentlemen, because you do not know when you will be caught. I was moved by these considerations to take this action, and I ask the House to declare that extraordinary sessions of that kind are not such sessions as are provided for in the British North America Act, whereby senators who fail to attend forfeit their seats in this Chamber.

The motion was agreed to.

COST OF TRANSLATION.

MOTION.

Hon. Mr. DAVIS moved:

That a special committee be appointed to inquire into the cost of translation in this

House and the House of Commons with a view to invite tenders for the said service in the Senate.

He said: There has been a great deal of discussion and controversy in this House in the past with regard to the cost of translation, and I think it would be well to ascertain what proportion it bears to the cost of the service in other departments of Parliament, with a view to deciding whether the work should not be let by tender. In order to have the matter investigated I would move that a committee consisting of Messrs. Boyer, Ross (Middleton), Daniel, Thompson and the mover be appointed for the purpose of investigating and finding out the cost of the translation in this House, with authority to make a report to the House on this question.

Hon. Mr. LA RIVIERE—It is rather late in the session to bring up a motion of this kind. When I was a member of the House of Commons, I had the honour to be chairman of the Debates Committee, and we studied the question at the time. It was found impossible to let translation by tender, because we could not find out beforehand what were the qualifications of those who tendered for the work. I believe it had been tried previously in this very House, and it was found that the service was unsatisfactory. Translation is not ordinary work, as my hon. friend from De Lorimier stated the other day; it is not every day you can find a good translator. For such work a man must have a great knowledge of languages, and must be quite a scholar. We must bear in mind that our debates and publications are exchanged with foreign countries and how would it do to send books to France, or to other European countries, even to Russia, that were not properly translated? It would be a disgrace to this country. I hope my hon. friend, now that he has drawn the attention of the House to this matter, will drop his motion for the present session at least.

Hon. Mr. DAVIS—In reply to my hon. friend, I would say that it does not necessarily follow as a result of an investigation that we should have the work done by contract. The object of my motion is to investigate and find out whether this House is paying more than should be expended for this work. If we find that it should be done under contract, I assume that the work could be done in that way just as well as it is done now and perhaps better. However, the object of this motion is to ascertain whether this House is paying more than it should pay for the work that is being done.

Hon. Mr. DANDURAND—I have no objection to this investigation taking place, but it should be done when Parliament is sitting and not during recess. I would suggest to my hon. friend that he renew his motion at the opening of next session, and then a committee—either one of our standing committees or a special committee—could be appointed to examine into the translation branch of our service.

Hon. Mr. LA RIVIERE—Hear, hear.

Hon. Mr. DANDURAND—I might inform my hon. friend that there are two branches of the service in both Houses; there is the translation of speeches, which might possibly be done by contract, although we proceed on a different line, the idea of that work being done by contract having been dismissed after some experience in both branches of Parliament, I believe, before my time. Now there is another branch of translation which concerns our laws, Bills which come before this House, which surely cannot be done by contract, because the work must proceed from day to day as Bills pass from one House to the other, and be continued by these translators after the session is over. It is work requiring minute attention and a high degree of skill, and I am quite sure that investigation will disclose the fact that that part of the translation must remain in the hands of officials of both Houses of Parliament.

Hon. Mr. MITCHELL—To my knowledge, the Internal Economy Committee of this House. have been working on this question for years. I do not see what great object can be gained by appointing another committee, or how they can arrive at a conclusion as to whether the translators are good or not. If our present translators are not qualified, let us apply to some educational institution where we can get qualified translators, pay the price for satisfactory service.

Hon. Mr. ROSS (Middleton)—As I understand, the object of this committee is to discuss the question as to whether the translation is well done or not well done, and to secure and collect all the information that can be got as to the relative cost of translating in this House and in the House of Commons, with any other information there is to be had on the subject, with a view of seeing whether or not it would be better to have the work done by tender and contract rather than as we are doing it now. I do not think it is too

late in the session to undertake the investigation. We have to-day and to-morow, and it is just possible we may have he day after. I do not see why we should not have some officer from the House of Commons, who knows all the facts, to give evidence before the committee and tell us just how the work is done there and what it costs, and compare it with the cost of the service here. Even if we did make a report this year I do not suppose it would be acted on, but we might get all the information that is to be had and have it classified, and then members would have it before them at the opening of the session next year, and action might be taken.

Hon. Mr. LARIVIERE—I have just one word in answer to my hon. friend. I do not see that it is proper to calculate in dollars and cents the value of the kind of translation that we require for this House. We require the best work, and we expect to pay the best price for it.

Hon. Mr. MITCHELL—Hear, hear.

Hon. Mr. ROSS (Middleton)—The idea is to get the best work for the least money; that is the proposition.

Hon. Mr. CLORAN—The cost of translation for the extraordinary session in August last would be only a few dollars. The cost is relative, depending on the number of reports and Bills; if the Bills are short it does not cost so much to translate; if they are voluminous, running from ten to sixty pages the work will cost more. So it is all a relative matter and no committee can get at the bottom of the matter. I agree with the hon. senator from Provencher (Hon. Mr. La Rivière) that this question of translation is one which affects the intellectual standing of Canada throughout the world. Our documents—blue-books, scientific reports, royal reports, governor's speeches, Hansard, and so on—are distributed to probably every legislature throughout the world and to public libraries. What standing would we have in the world's community if a professor of a university or a statesman of a foreign country should find our reports full of errors and bad French or bad English? As the hon. gentleman says, the best talent must be engaged, and you cannot get the best talent by contract or by tender; you must select your men and place them at the head of the translating bureau, just as a rector of a university selects his professors. You cannot get professors by tender, you have to select them from every quarter of the earth, because of their fitness for the work of teaching. We must not deal with this matter in any picayune fashion. Our public documents have to go to the world in the purest of English and the purest of French, and that must necessarily cost a little money. You can get men, who profess to be translators, at $1 a day, but what will their work amount to? You must get the best talent. To translate some documents requires absolute skill, scientific and otherwise; he must have a knowldege of the arts, of business, of finance, a knowledge of everything under the sun in order to translate from one language into another. Where are we going to get men with such attainments and talents? It would not be fair to offer them a paltry salary; the salary should be in keeping with the talent possessed by the translator, just as fees are paid to lawyers according to the amount of talent and knowledge they have of the law, or to medical men for their skill and knowledge. It is the same in the various professions, and Parliament should seek such men. I hope that the hon. member from Provencher will insist on his point, and that he and his friends in this House will see that for translating documents from English into French, which after all is nine-tenths of the work, the best talent shall be employed so that Canada will not be disgraced in the public libraries of Europe or the cabinets and legislatures of other countries

Hon. Mr. DAVIS—This motion seems to have created quite a disturbance in the minds of hon. gentlemen in this House.

Hon. Mr. GIRROIR—Might I ask the hon. gentleman what reason there is for proposing to invite tenders for the translators any more than for the other positions in this House.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. ROSS (Middleton)—I have taken an interest in the Internal Economy Committee, and have been informed that the service in the Senate costs twice as much as in the House of Commons.

Hon. Mr. GORDON—What does it cost?

Hon. Mr. ROSS (Middleton)—I do not know, but I have had that statement on very good authority, and there must be some ground for it.

Hon. Mr. DANDURAND—We have had, within the last fifteen years, comparative

statements at least two or three times before the Debates Committee and the Internal Economy Committee on this very question of comparative cost between the translation done in the other House and that done in this House; and we have come to the conclusion, after looking into it, that we were not paying more for the translation here than the House of Commons was paying.

Hon. Mr. ROSS (Middleton)—Has not the cost in this House increased very greatly in late years?

Hon. Mr. DANDURAND—The cost of the translation, no.

Hon. Mr. DAVIS—Yes.

Hon. Mr. DANDURAND—I hear the word "yes." It has not cost more than the different services of the Senate have cost. The increase has been general, and more especially through the application of the Civil Service Act upon the staff of the Senate; but if you will compare that branch of the service with the other branches I think you will find that my information is correct.

Hon. Mr. DAVIS—I did not know, when I moved that innocent little motion, that I was going to stir up such a tempest.

Hon. Mr. DANDURAND—There is no tempest.

Hon. Mr. DAVIS—In answer to my hon. friend who asked what reason there is for the motion, I would tell him the large increases granted in the cost of this branch of the work in the Senate in the last year or two, and I wanted to find out whether we are justified in making those large increases to the salaries of translators which my hon. friend talked about. My hon. friend from Montreal got wrathy on this subject; his speech might very well have been made after the committee had reported, if their report did not suit him. In the meantime, what harm can the committee do? I want to know whether or not the cost of translation in this House is more than it should be, and whether it is done properly. If this committee find that the work is done properly and the cost is no more than it should be, they will say so; on the other hand, if they find the work is not done properly, and that the cost is excessive, they will report that to the House, and the subject will be discussed. They are not going to tear up anything; we want information and I think we are entitled to have it. Large increases have been granted in this branch of work in this House every year, and I for one want to find out whether we are paying more than we should pay for that work. In regard to the talk about having cultured men who are up in arts and science and finance and all that kind of thing, I suppose we should have just as good translators in the House of Commons as there are here; and I do not know whether they are up in arts and science and finance and all the other arts that my hon. friend talks about; they may be, but translation is translation.

Hon. Mr. CLORAN—Yes.

Hon. Mr. DAVIS—I suppose if the translation is not properly done we would have some way of arriving at it. I suppose my hon. friend, who is up in arts and all that sort of thing, has arrived at a conclusion as to whether the work was properly done or not, from reading French Journals of this House or those of the House of Commons. We want investigation. Some of my hon. friends assume that this House is going to prorogue to-day or to-morrow. I do not see any signs of prorogation. There is a lot of very important legislation that has not come to us yet, that has not even passed the other House, and while we are waiting we might have this committee appointed. I assume that in one day we could have all the information we require reported to this House; hence I do not see any reason why the committee should not be appointed.

Hon. Mr. GIRROIR—I do not think the hon. member who has just taken his seat has made his case any stronger; in fact, I think the discussion which has taken place since I asked my question makes his case weaker. The hon. gentleman from De Lorimier (Hon. Mr. Dandurand) has stated that the increase in the expenses of the officers of this House has been proportionate—that there has been no greater increase in the expense attending translation than in the other offices.

The mover of this resolution complains that there has been an unwarranted increase in the cost of translation. If there has been an unwarranted increase in the expenses of this or of other offices, he had better include all the offices in his motion, and following out the argument he has advanced, the only conclusion we can arrive at is that we should have an investigation as to the charges and expenses in connection with the officials of this House, with a view of calling for tenders

for all the work of these officials. Let all the positions be put up at auction, and let the lowest tenders get them. If we are going to be ridiculous we might as well go it wholesale. Amend the resolution and put in all the offices, including the Speaker's.

Hon. Mr. GORDON—From the arguments advanced by the hon. gentleman from Prince Albert it would appear that his motion is not opposed provided he eliminates from it that part which would give this House power to have the translation done by contract. That part of it seems to be on a par with giving out book-keeping to tender. One of the most important matters in connection with this House, as I look upon it, is to have the translation as nearly correct as possible, and, although I am not conversant with the French language, I have no doubt in my mind that, even under present conditions, as I think my hon. friend intimated to us not long ago, it is hard to find competent translators. The hon. gentleman who has brought in this motion does not question the character or correctness of the translation which we have been getting; and if that be the case, and if he has no ground for bringing this motion forward other than that of expense I would advise him to withdraw his motion and bring in a similar motion in respect to some other things, which to my mind require investigation, and other expenditures would stand the pruning-knife better than this special department. I would suggest that he bring in a motion to reduce the expenditure upon the preparation of large quantities of useless books that are distributed both while the House is sitting and during the recess.

Hon. Mr. DAVIS—After the convincing argument I have just listened to, there appears to be a feeling in the House that it is rather late in the session to take up this matter; I therefore ask leave to withdraw the motion with a view to presenting it next year at the opening of the session, when we will have more time to give it consideration.

Hon. Mr. BOYER—Before the motion is dropped, I may tell my hon. friend that he has wasted more money in discussing this motion than any economy which could be realized in the translating. We have been at it forty minutes.

Hon. Mr. WATSON—We have nothing else to do.

Hon. Mr. BOYER—My hon. friend is quite an economist in these matters. Why be so very parsimonious in regard to translation? I, for one, want all the translation I can possibly get, and I want the very best. Many documents that we are entitled to are simply published in English and never translated into French. Take, for example, the question asked by the hon. gentleman from Athabaska the other day with regard to a monthly publication called Conservation, which furnished very interesting information. That document should be spread through the country, not only through the English portions of the Dominion, but through French Quebec, and through French Ontario, but it has never been translated into French. I suppose it is not considered worth while that we of French extraction should possess some knowledge of it, or that we know it better than those who are supposed to read it? I belong to an institute where it was decided to publish the addresses of members of the institute in French, and what happened? They had to send to Paris for the very best authors, we might say, who could put into correct French the speeches delivered in English, Italian, German, and even French. But, after all, the expense of translation cannot be so very enormous. If it has cost the country one or two thousand dollars more a year than hon. gentlemen think it should, it strikes me there are plenty of other useless expenditures to which the Senate and House of Commons are subject where we might economize far better than by poking into one paltry department, which has the translation of whatever lovely speeches my hon. friend can make.

The motion was dropped.

SUPPLY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 123, An Act for granting to His Majesty certain sums of money for the Public Service of the financial years ending respectively, the 31st March, 1915, and the 31st March, 1916.

Hon. Mr. BOSTOCK—I draw the attention of the House to the fact that the amount appropriated in the Supply Bill this year is greater than it has ever been before. We have never, as far as I know, voted a Supply Bill amounting to two hundred and twenty-two million odd, for the purpose of this country. At the present time, when our

revenues are diminishing, it seems an enormous sum of money to be voting in this way. We have had the statement of the Finance Minister in which he estimates the expenditures for this year, 1914-15, at $190,000,000. I presume, therefore, that the amount appropriated in the Supply Bill may not all be spent; but even when we compare the Finance Minister's estimated expenditure with the estimated revenue of $130,000,000 for the same year 1914-15 we see there is a deficit of $60,000,000 to be provided for. This at the present time, when money is very scarce and it is difficult to arrange finances, is a very serious prospect for the country to face. It has been said on several occasions by members of the Government that they are very much burdened by the commitments which the late Government left behind them. It may be interesting if I, for a few minutes, place before the House some figures dealing with that question; but before attempting to show how certain money has been expended, I want to put before the House the figures of the revenue and expenditure, to show how both have been increasing for some years past. I give the following table of receipts and expenditures chargeable to Consolidated Fund Account, and also the total receipts and expenditures.

	Consolidated Fund.		Total.	
	Receipts.	Expenditures.	Receipts.	Expenditures.
1896-97..	37,829,778	38,349,759	37,829,778	42,972,755
1901-02..	58,050,709	50,759,391	58,052,333	63,970,799
1905-06..	80,139,360	67,240,640	80,141,393	83,277,641
1910-11..	117,780,409	87,774,198	117,884,328	122,861,250
1911-12..	136,108,217	98,161,440	136,108,217	137,142,082
1912-13..	168,689,903	112,059,537	160,690,427	144,456,877
1913-14..	163,174,394	127,384,472	163,174,394	186,241,047
1914-15..	130,000,000	140,000,000	.....	190,000,000
1915-16..	120,000,000	140,000,000	.....	199,000,000

Going back to the year 1896, and taking it in five year periods, we find the total receipts in the year 1896-7 were $37,000,000 odd. The total expenditure at the same time was $42,000,000. In 1901-2 the total receipts were $58,000,000, and the total expenditures $63,000,000. In 1905-6 the receipts were $80,000,000, and the expenditures $83,000,000. In 1910-11 the receipts were $117,000,000, and the expenditures $122,000,000. In 1911-12 the receipts were $136,000,000 and the expenditure $137,000,000. In 1912-13 the receipts were $168,000,000 and the expenditures $144,000,000. In 1913-14 the receipts were $163,000,000 and the expenditures $186,000,000. Those figures are taken from the public accounts and are the exact figures issued by the Government. Anything that we have further is simply an estimate of the Finance Minister which he states in his Budget speech. For instance, he gives the following figures: in 1914-15 he calculated his revenue at $130,000,000. and his total expenditure at $190,000,000. In 1915-16 his revenue was $120,000,000, and taking into account the sum of $15,000,000 he has to provide for taking up treasury bills that will shortly fall due, his total expenditure, according to the Budget speech, would come up to $199,000,000. I would draw hon. gentlemen's attention to the way the revenue has increased during those years up to 1912-13, and of course the expenditure has gone up as well, but when we compare the year 1911-12 with the year 1912-13 the receipts had increased by $32,000,000 odd over the year 1911-12. The expenditure had only increased by seven million odd. The consequence was that in the year 1912-13 the Government were in the happy position of being able to decrease the national debt of the country by twenty-five million odd. It seems when they came into this happy position they did not approve of this condition of things. They apparently set to work to see how they could spend more money, because they did not think it was a good thing for the country to be paying off the national debt. We find therefore that in the year 1913-14 the receipts decreased by over $5,000,000, the expenditure increased by $41,000,000. The Government, therefore, brought about a condition of things which was exactly opposite to what it was the year before, and instead of being able to decrease the

national debt in the year 1913-14 they had to increase it by over twenty-one million dollars. If we compare the expenditures on capital account in those two years 1912-13, and 1913-14, we may have some idea as to what extent the Government has been called upon to provide money to meet these commitments to which they fell heir as successors of the late Government? Taking the money expended on capital account for the year 1912-13, we find that the Government paid out:

Amount paid on Capital Account.

	For the year 1912-13.	For the year 1913-14.
National Transcontinental railway	$13,767,011	$12,670,100
Quebec bridge..	1,512,825	2,604,105
Hudson Bay railway.	1,099,063	4,498,717
Intercolonial and connected railways and miscellaneous	2,406,987	4,347,999
Prince Edward Island railway..	103,001	129,574
Canals..	2,259,257	2,829,661
Public Works..	6,057,514	10,100,016
	$27,205,661	$37,180,175

For the National Transcontinental railway over $13,000,000. For the Quebec bridge, $1,000,000, for the Hudson Bay railway $1,000,000, the Intercolonial railway and connected railways and miscellaneous $2,000,000, to the Prince Edward Island railway $103,000, for the canals $2,000,000, for public works, $6,000,000, making a total for 1912-13 of $27,000,000 paid out on capital account. In the year 1913-14 they paid to the National Transcontinental railway $12,000,000, a million less than the year before. For the Quebec bridge they paid out $2,000,000 which would represent one million more than the year before, so that on those two items they were about even. For the Hudson Bay railway they paid $4,000,000, but hon. gentlemen will remember that the Government have said all along that they are as much committed to the Hudson Bay railway, and they are as anxious to see it completed as the late Government, so that they cannot complain on the score that they had to pay out in 1913-14 some $3,000,000 more than in 1912-13 for the purpose of bringing that road to completion. Then we get to the Intercolonial railway and connected railways and miscellaneous, for which they paid out on capital account $4,000,000; to the Prince Edward Island railway they paid out $129,000, canals $2,000,000, and public works $10,000,000. Hon. gentlemen will see from those figures that the increase on the Intercolonial railways and connected railways was over $2,000,000, and on public works over $4,000,000, so that the increase of $6,000,000, there was due, not to any expenditure that was put upon the shoulders of the present Government, owing to the action of their predecessors, but due entirely to the action of the present Government themselves. This, I think, to some extent refutes the statement made by the Government that the increased appropriation they are called upon to make is due to the action of their predecessors. The other day, in giving a few figures to the House, I tried to show, in dealing with these questions of the expenditure of money from the Consolidated Fund, that in that case also the expenditure was largely due to the extravagant way the Government had been dealing with the administration of the country. Then, if we look for a minute at the money paid out by the present Government under the heading of railway subsidies, we find that in the year 1913, this Government paid out for total railway subsidies $4,935,000. For the year 1914 they paid out $19,036,000, and that, when compared with the largest amount paid out by the late Government during the time they were in office for subsidies to railways, namely $3,201,000 shows a very considerable increase, not attributable in any way to the action of the late Government. We may further take into consideration for a few minutes the way the trade of this country has been moving for the last few years. The trade of Canada has been increasing considerably. If it shows that the country is prosperous no one will take exception to the trade increasing but when we take the total exports and imports of the country we find, taking the same years as I have taken for the receipts and expenditures, that the total exports, the total imports and the grand totals are as follows:

	Total Exports.	Total Imports.	Grand Total.
1896 ..	$121,013,852	$118,011,508	$239,025,360
1901 ..	196,487,632	190,415,525	386,903,157
1906 ..	256,586,630	294,286,015	550,872,645
1911 ..	296,196,365	472,247,540	769,443,905
1913 ..	393,232,057	692,032,392	1,058,264,449
1914 ..	478,997,928	650,746,797	1,129,744,725

Hon. gentlemen will notice that whilst the total trade of the country in the year 1914 had increased over that of the previous year by $71,000,000, the exports for the same period had increased by $84,000,000, and the imports had decreased by $41,000,000; we therefore find that in consequence of this decline in the import trade of the country in the year 1914 the revenue has

fallen off very considerably. This being the third year that this Government has been responsible for the policy of the country, their figures show that their policy is tending towards increasing the export trade of the country and decreasing the imports. The whole speech of the Finance Minister, when he was talking on his Budget arrangements, was to the effect that he had to find a large amount of revenue for the purpose of carrying on the business of the country, and because his revenue was falling off, he had to largely increase the duties on many articles; but if the import trade of the country was falling before the tariff was raised, as it has been this session, we must expect to see the import trade of the country decrease considerably when we get the returns for the present year, and the consequence of that will be, the Finance Minister will find that, instead of his revenue increasing as he hoped it would, his figures will fall considerably short of what he has led the country to expect. The development and progress of this country is very largely concerned with the question of immigration. This country is one of enormous territory, but very small population compared with the tremendous area we have to deal with, and it should be the object and aim of every Government, as much as possible, to bring immigrants here. But we find at the present time that immigration into Canada is falling off very considerably. Of course the hon. gentleman may say that this is very largely due to the present condition of affairs throughout the world, and possibly we should not be too hard on the Government if the immigration into this country falls very considerably this year; but at the same time it should be pointed out to the Government that their most determined efforts should be put forth in order to increase the immigration into Canada. The immigration returns show that 354,257 immigrants came into Canada in 1911-12 and 384,878 immigrants in the year 1913-14. In 1914 there were 168,859 immigrants. That will give hon. gentlemen some idea of the extent to which the immigration into Canada has decreased in the last period for which we were able to get returns. For the year 1915-16 it has been estimated that the immigration will not amount to more than 50,000 to 75,000 people. Hon. gentlemen have only to think for a few minutes to realize what that means to this country. Consider the amount of money that every immigrant necessarily brings into the country, the amount of work that the country obtains from every man, woman and child that comes here for the purpose of making a home in Canada. It means that they develop the resources of the country and provide work for others as well as for themselves. Therefore, I say that the Government should most certainly do all that they can to stop this decrease of immigration into Canada and find some way of turning the tide and bringing it back to what it was in the year 1914. I have put these figures before the House and before the country in order that people may have an opportunity of studying them, of considering them for themselves and of realizing the direction in which this country is moveing at the present time. The whole condition of things is very serious, because these figures I have given to the House deal with only the ordinary business of the country. We have to add to those the expense that the country is under at the present time on account of the part we are taking in the terrible war which is raging in Europe. The expense in connection with that war is not in any way included in the figures which I have given; and when those are added to the figures that I have already submitted, it shows a very tremendous financial burden placed on this country, but if the people realize the situation and really looks seriously into the matter, I do not think there is any doubt that Canada will eventually come through successfully.

Hon. Mr. LOUGHEED—It is not my intention to follow my hon. friend in the incursions which he has made into the realms of trade, of commerce, of finance and expenditure, but I should like to say that the Supply Bill which is before us on the present occasion is rather an exceptional one. We have been passing through extraordinary conditions involving expenditure which, under ordinary conditions, would not have occurred. I have no intention of undertaking anything like a survey of the expenditures which the Government has been compelled to make, except to point out some of the extraordinary obligations with which we have been faced, and which we have been called upon to meet, and which necessarily have very greatly added to the present Supply Bill. In looking through this Bill, I find in about seven or eight items appropriations amounting to $43,000,000 which in former Supply Bills we would not have been called upon to provide. Take, for instance, the matter of seed grain, for which there is an appropriation of $10,500,000. We have been called upon to make an extraordinary

expenditure, in connection with the ferry to Prince Edward Island, of nearly two million. We have been called upon to make provision for the Hudson Bay railway of five and a half million. In connection with the Transcontinental Railway we have to provide five millions for expenditures to be made at once. On the Quebec bridge an expenditure of three and a half million is provided for in connection with the Welland ship canal, five and one-half million in connection with the Trent canal, one and a half million, and nearly ten million —or to be accurate nine and a half million —chargeable to rivers and harbours, this amount being chiefly for dry-docks. The policy of building dry-docks at our great national ports is one that has been sanctioned by both parties in Canada, and provision has been made to meet expenditure in that particular direction forthwith. Consequently in those few items which I have pointed out we find appropriations approximating $43,000,000. My hon. friend went back, I think, to 1896. The appropriations which I have mentioned in connection with those few items would represent a greater expenditure than Canada made in 1896 in its entirety. Hon. gentlemen will therefore have to remember, to use the expression of a well known Liberal statesman, that we live in a growing time, and consequently the expenditures are relatively great. I have pointed this out, not apologetically, but simply by way of explaining the increasing demands that are made upon the exchequer of Canada from time to time, and for which, to maintain our national progress, we have to provide.

Hon. Mr. DANDURAND—There is one question to which I should like to direct the attention of this Chamber, which interests vitally the present condition of the country, and which has a considerable effect upon the development and prosperity of Canada. It is the immigration policy of the present Government, which, in my opinion, deserves serious criticism. We have not received during the last few months, any considerable immigration from Europe, and I suppose it will take some time before the proportion of settlers which we used to receive will begin to knock at our doors. The present Government, after the election of 1911, seemed to take for granted that having carried the day on the cry that trade between north and south was undesirable, immigration from the south to the north should be discouraged as well, and all the efforts that had been made for years past to get proper immigration from the Western States have been abandoned. These efforts made by the late Government to get that class of immigrants had been quite successful, and thousands and thousands of the best class of immigrants reached the Northwest through the Canadian-United States western boundary.

Now, there has been considerable of a reduction in the immigration from that area, due to the fact that the Government has recalled a number of agents and has closed a number of agencies throughout the United States. As a result, immigration from those parts of the country has considerably diminished. It seems to me that the Government should revise its policy, and resume that one which was so advantageous to the Northwest. I am quite sure that the representatives here from the West will bear me out when I say that immigration from the neighbouring country was of as high a standard as any that came from Europe and that it is greatly to be regretted that that policy was discontinued.

Hon. Sir MACKENZIE BOWELL—In what way has it been stopped?

Hon. Mr. DANDURAND—It has been stopped by the recall of a number of immigration agents which the late Government had throughout the United States, and more especially throughout the western States; and the result of the recall of those agents has been quite apparent in a marked diminution of immigrants from the United States. It seems to me that if the policy which prevailed before 1911 had been continued, the Northwest could to-day produce, by the increased number of immigrants, a larger area of good crops to the very great advantage of this country.

Hon. Mr. ROCHE—Since I have come into this House I have been informed by those who are well-qualified to expound our functions and duties, that it is not the right and privilege of this House to question any of the items in a Budget which is presented, but that the House must either accept or reject the financial grants given to the King. Therefore, any discussion of items is not practical, but merely advisory; that is, we cannot bring the argument to a test vote for the reduction of any special item. The whole must be accepted or the whole must go. The leader of the Government in this House presented a summary of the many details of the Budget, and grouped together a number of questions which might or might not have had some resemblance to one an-

other. There is no time to fully investigate a complicated subject like this; there is no time to ascertain whether certain elements that were grouped under certain heads rightfully belong to those heads or not, and whether the aggregate of the sums included under those headings can be rightfully compared with those expended by the previous Government, in order to come to the conclusion whether this Government has been economical with the resources placed at its disposal or whether it has been lavish or extravagant. We have no details which can be discussed and compared; but we must take the Bill with due gratitude as it has been presented— a lump sum granted to His Majesty with the formal assent of this House. Amongst the items mentioned by the learned leader of the Opposition with a view to contrasting the expenditures of the former Government with those of the present Government, is one of 10 millions or more to be expended on seeds. Now, this Budget is to run through the whole year, and the agricultural year in this country will end about September or October, and I see no credit given for the sum which will be repaid by the farmers and others—sums which have been secured as an offset to this ten million dollars, amongst other sums which the hon. gentleman has mentioned as a justification for the large public expenditure. But it is not my purpose, it is not the purpose of anybody, this year to severely criticise any item of expenditure, any action, any legislation, or anything which the Government may do. We give them a free hand this year; let them go as they please; but we will hold them responsible at another time for what they do. There is another item to which I might call the attention of the learned leader of the Government in this House, and that is, although we have a diminishing revenue, diminishing in amount, diminishing in volume, the expenses of collecting that revenue have not diminished, and the number of persons who collect that revenue, servants of the Government, have increased two-fold, three-fold, and four-fold; and I would direct his attention when he begins to put in his pruning knife at the beginning of next session, to see whether there are not too many inefficient public servants, and if the revenue of the country continues to decrease—as it probably will—whether or not the number of public servants ought not to be proportioned to the amount of revenue which is to be collected; and if the revenue be diminished, then will be the time for our Government to look into it, whether the resources of the country are not wasted upon political favourites or upon inefficient public servants. I have pretty well run through the cursory remarks which I intended to make. I do not intend to criticise the Budget which is presented to this House, and it would be useless to do so unless we are permitted, by the regulations of the House and by the functions of the Senate, to enter thoroughly into the details which make up the great aggregate that has been presented by the learned leader of the Government.

The main motion was agreed to, and the Bill was read the second and third times and passed.

SENATORS MACDONALD AND ROBERTSON.

MOTION.

Hon. Mr. LOUGHEED—Before we adjourn, my hon. friend the leader of the Opposition suggested very properly this morning that we should pass a resolution of esteem to our late colleagues. I therefore beg to move:

That the members of the Senate beg to convey to their late colleague, the Hon. W. J. Macdonald and the Hon. J. E. Robertson, the expression of their sincere regret at the severance of the tie which has hitherto connected them.

They are very sensible of the value of the services rendered to the country by the Hon. W. J. Macdonald, who has been a member of the Senate from British Columbia since that province came into Confederation, and by the Hon. J. E. Robertson since his entry into this Chamber as a member of the Senate from Prince Edward Island, and they will long cherish pleasant recollections of their kindly presence in the Senate.

The motion was agreed to.

Moved by Hon. Mr. Lougheed:

That the Clerk of the House be authorized to convey this resolution to the gentlemen named.

The motion was agreed to.

THE ROBES OF THE SPEAKER.

Hon. Mr. BOYER—Mr. Speaker, before we adjourn might I inquire when we may expect to see you in your official robes? It is rather shocking to us democrats to see our guardian angel without his wings, and mussing his feathers. Could not some arrangement be made with our late Speaker for the renting of those robes for the time being? I think it would add a great deal to the dignity of this House, and as we are about proroguing we will cut rather a poor

figure when the Governor comes in if we have only got to show him one of us in plain clothing. I have another grievance. In the Public Accounts we pay every year a sum of money for booming the noonday gun, which is supposed to keep us straight in time; now, to-day that noonday gun was fired five whole minutes before 12 o'clock.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOYER—Have new officials been appointed who do not know their business, who do not even know the time on a clock? Or is it part and parcel of the Government policy to continue to deceive the country.

Hon. Mr. LOUGHEED—The hon. gentleman's duty is to adjust his watch to the gun.

Hon. Mr. BOYER—I will bet mine against yours.

The Senate adjourned until 3 o'clock.

Second Sitting.

The Acting Speaker took the Chair at Three o'clock.

Routine proceedings.

VENTILATION OF THE SENATE CHAMBER.

Hon. Mr. DANIEL—Before the Orders of the Day are called, I should like to draw the attention of hon. gentlemen to a subject that I think is of much more importance to them than is generally believed. I refer to the very unsatisfactory way in which this Chamber is heated and ventilated. The air that we have been breathing for the last several weeks is such as should not be imposed upon any deliberative assembly, and I am quite satisfied, from the observations that I have been making during the last few days, that nothing but a little care and intelligence is required to keep this Chamber in such a condition of heat and ventilation as would be suitable and agreeable to all the members of this hon. House. As I understand it, this Chamber is heated by a system of cold air coming in over hot pipes. That air, as far as I can learn, is not brought directly from the outside, but through passages underneath this building, and is not pure,—not such air as should be introduced into this Chamber for hon. gentlemen to breathe.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DANIEL—The fact is that for the last several days the thermometer at the door has indicated a temperature in this House of from 75 to 80 degrees. I believe at the present moment it is 73, and that is cooler than usual. There is no necessity for anything of that kind. I may say that yesterday afternoon or the afternoon before, after the House had been in session in a very hot room, an hour after the adjournment took place I came in here. All the doors were open, the air was practically all right, and the temperature had come down to 68 Farenheit. That, I take it, is about the temperature at which this room should be kept all the time. It is not too hot for the young bloods of this Assembly, and it is hot enough, I think, for the comfort of those who, perhaps, require a little more warmth and heat than when they were 21 or 22 years of age. I thought of asking for the appointment of a committee to consider this matter, and report to the House, but the session is practically closed, and, unless the committee should meet during recess and go over this matter, I do not see that there could be any good result from it. I thought I would take this opportunity of stating to the House that, practically, no one deems it his duty to regulate the ventilation and temperature of this Chamber. The difficulty, to my mind, could be very easily obviated. All it requires is a little care and intelligence, and the matter being thoroughly looked after. Next session, if some improvement does not take place in the meantime, I shall bring the matter up again.

It is absolutely disgraceful that the members of this Chamber are needlessly compelled to sit in a hot house, as this is now, day after day without any one being responsible for seeing that it is properly heated and ventilated.

Hon. Mr. BOYER—It is rather a curious coincidence that the motion of my hon. friend, like the motion of my other hon. friend from Saskatchewan, is brought in at the end of the session.

Hon. Mr. DANIEL—It is only within the last week or so that the matter has been brought to my attention. During the winter the conditions to which I object are not so noticeable.

Hon. Mr. BOYER—But it has taken the hon. gentleman two months to tell us of the danger we have been running. Allow me to tell him that if, at the end of the session, he found the atmosphere so vile,

it was due to the unsavoury Bills brought in more than the want of ventilation.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BOYER—But the hon. gentleman should have told us; he might have taken the trouble to analyse the atmosphere of the House after a week's time in the beginning of the session; then I would have told every one of my friends who came, "You are going to be poisoned, and at the end of the session it will be worse yet." There is no doubt that the atmosphere of the House is kept too hot, but with the old system of radiation we have, it is practically impossible to control it. Yesterday we had a draft in the corridors strong enough to sweep our hats away; but when I made some remonstrance about it the caretaker told me it was the unanimous wish, barring my own, that we should go through this draft. So what are you going to do about it?

Hon. Mr. DANIEL—Well, one need not stand right in front of the doorway all the time.

Hon. Mr. BOYER—No, but you have to cross it.

Hon. Mr. DANIEL—I might say that the only place in this whole building that I know of which is properly ventilated, or ventilated at all, is the Chamber of the House of Commons. There they have a system of exhausting the foul air and bringing in fresh air by fans, and although that Chamber is the same size as this, and they have three times as many members there, you never find the air in the House of Commons stagnant and so hot as to be almost irrespirable, as we find the the air of this Chamber to-day; so that the matter can be arranged, and arranged satisfactorily, if proper steps are taken to do so.

Hon. Mr. LOUGHEED—I am very glad my hon. friend from St. John has directed the attention of the House to this very important matter. It has struck me within the last week that there was something wrong in the atmosphere of the Senate. I must say that I attempted to analyse it in every possible way—

Hon. Mr. KERR—Too much hot air.

Hon. Mr. LOUGHEED—But it remained at last for my hon. friend from St. John to strike on a very happy solution as to what the trouble has been. I can very well understand now why the Senate is agitated, as stated in the public press. It has been due to the vitiated air and the atmospheric poisons which my hon. friend has described. This will account for our disturbed condition. I understand that draughts and currents of poisonous and vitiated air will always result in a disturbance of the atmosphere, both moral, physical and otherwise.

Hon. Mr. DANIEL—Irritation.

Hon. Mr. LOUGHEED—I hope, now that the end of the session is in view, we in going away may attribute any little friction or agitation which disturbed the Senate during the last week not to the moral condition of our minds, but rather to the vitiated condition of the atmosphere produced by the poisonous air which has been pumped up from the air chambers below.

Hon. Mr. CLORAN—I quite agree with the last speaker with regard to this matter. I rise to endorse the position taken by the hon. senator from St. John. He has suggested that if the Internal Economy Committee wanted to do something useful they should take up this matter. That is a very proper suggestion.

Hon. Mr. CHOQUETTE—Without the recommendation of the Speaker.

Hon. Mr. CLORAN—Without the recommendation of the Speaker. That proposition I think is timely, and the Internal Economy Committee ought to take it into serious consideration. It is a subject which would give them a lot to do, and something useful to do. The committee, under the enlightened and very effective management of its chairman, might be able to accomplish something. In regard to the remarks of the hon. leader of the Government to smooth off the situation as it is to-day—unparalled in the history of any Parliament of the British Dominions or of any other Parliament—we all take his remarks in the best of spirits. There is no doubt that there is a condition of things in the Senate to-day that ought not to exist, that jeopardizes all the legislation we are passing; and of course a smiling remark or a soothing proposition will not destroy the effects of what is going on now in the absence of the official head of the Senate. I have several times put this hon. House on its guard that we are acting illegally, unconstitutionally and irregularly. Of course, if the hon. leader of the Government thinks that it is due to the vitiated atmosphere of this House, which is controlled by the Department of Public Works,

the Government ought to be able to do something in both respects. Empty is the cradle; the cradle of our liberties is empty and the House is filled with vitiated atmosphere. Now it is up to the Government to put out the vitiated atmosphere and bring in a new baby for the Chair.

Hon. Mr. BOYER—Mr. Speaker, before we adjourn might I draw your attention to the fact that your rival has just looked through the door.

The Senate adjourned until to-morrow at eleven a.m.

THE SENATE.

Wednesday, April 14, 1915.

The Acting SPEAKER took the Chair at Eleven a.m.

Prayers and routine proceedings.

FRENCH TRANSLATION OF "CONSERVATION."

Hon. Mr. LAVERGNE—I should like to ask the hon. leader of the Government in the Senate, will the Government have the weekly paper "Conservation" translated into French. The hon. gentleman told me the other day that the matter was under consideration. Has that consideration been had, and is the work of translation going on?

Hon. Mr. LOUGHEED—I may say to my hon. friend that it is still being considered.

QUEBEC HARBOUR COMMISSION.

Hon. Mr. CHOQUETTE—I should like to put a question to the hon. leader of the Government in regard to the chairmanship of the Quebec Harbour Commission. It is very important that the head of that commission should be appointed at once. The season of navigation is about to open, in fact it is open at Quebec, and there is no commission. We all know that Sir William Price has sent in his resignation, and we also know that last week a delegation from Quebec asked that the member from Montmagny, Mr. L'Esperance, be appointed to take the place. The deputation which presented the petition was headed by members of Parliament. I am informed now that Mr. Gravelle, or Mr. Letellier, one of the two commissioners, has retired to make room for Mr. John P. Scott. An Englishman should be appointed to replace Sir W. Price and I think Mr. Scott would be the best man they could get in Quebec. The commission is composed of one English and two French members. Sir Wm. Price having resigned, an Englishman should take his place. Mr. Scott has been for a long time the head of the Quebec and St. John Railway. He knows all about transportation and is the best man that could be appointed to the position. It is for the Government to appoint this man. I would also impress upon the hon. leader the necessity for having a head appointed at once. I hope the Government will not delay any longer.

THE ABSENCE OF SPEAKER LANDRY.

Hon. Mr. BOYER—My hon. friend should have added that they might appoint a head to the Senate. I regret to see Mr. Speaker, that you once more appear before us naked. This style of living is becoming quite indecent. I trusted that our new Speaker's tailor would have worked overtime so as to have him properly clothed, or, if he had borrowed the whole costume from the absent Speaker, that the Chinese to whom the washing was entrusted might have hurried it up. We have had nice sunny days to air and dry it properly; and our Speaker should appear in proper costume. I should like to ask the hon. leader of the House who signs documents during the strike? Are there any official heads of the Senate who can validate all the documents which require to be signed during this strike?

Hon. Mr. CLORAN—That is a constitutional question to which we will get no answer, as usual.

ERROR IN THE MINUTES.

Hon. Mr. CHOQUETTE—I wish to bring up a question which should be settled at once. It is all very well in speaking here to refer to the present occupant of the Chair as the Speaker, but I think our Minutes of Proceedings should be more accurate. For several days we find at the head of our Minutes of Proceedings, "Members convened, Hon. Jos. Bolduc, Speaker." I ask the House if there can be two Speakers of the Senate. We know there is a Speaker occupying his room in this building.

Hon. Mr. DANDURAND—Officially we know nothing. We are directed by what is taking place at this table, and I was in hopes the gossip around the building had ceased.

Hon. Mr. CHOQUETTE—I have the floor, and the hon. gentleman from De Lorimier

may say or think what he likes; I do not say much, but I say these entries in the Minutes, " Hon. Joseph Bolduc, Speaker," are not true.

Hon. Mr. DANDURAND—Yes.

Hon. Mr. CHOQUETTE—You may call him Speaker pro-tem or whatever you like. I maintain, as a constitutional question, according to the report made by the Clerk of the House the other day, that, after the meeting at which he was called on to preside was over, he was no more Speaker than I was. That is my contention; it is a serious one. If the senator for De Lorimier contradicts me I am sorry. I deny him the right to stand up in the way he did, as he always does pretending to lead this House, which I deny his right to do. As a constitutional question, I maintain that when the Clerk of the House reported that the Speaker was unavoidably absent and the Hon. Mr. Bolduc was appointed by the House to act as Speaker, he was in the Chair rightly so far; but I maintain that as soon as that sitting was over he had no more right to be called Speaker, or to be Speaker than I had, unless on a new report by the Clerk of the House, he be again called upon to preside. We should not go through this childish business of sending abroad the statement that Mr. Bolduc is Speaker when he is not. As a member of this House I protest against that; we cannot have two Speakers in the Senate.

Hon. Mr. TESSIER—May I ask the hon. leader of the House if it is true that Hon. Mr. Landry has resigned as Speaker?

Hon. Mr. LOUGHEED—I have no knowledge that he has.

Hon. Mr. TESSIER—May I ask him if it is possible to have two Speakers?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CHOQUETTE—Let that go down.

Hon. Mr. CLORAN—Put that on record.

Hon. Mr. MITCHELL—I do not suppose that the two hon. gentlemen who have just spoken know any more about ex-Speaker Landry than the House does, and the senators in this House are not supposed to know whether Mr. Landry is sick or not.

Hon. Mr. CLORAN—I would point out that the Government has absolutely nothing to do with the procedure of this House. We address the leader of the Government as if he were responsible for the situation. He is no more responsible for the situation that exists to-day in the Senate than any other member of the Chamber. It is not a Government question; it is a question for the Senate, on its own basis of right and privilege, to act, not the Government. The only time that the Government can act is when the House declare that there is no Speaker, or that there is a Speaker who declines to act; then will be the time for the Government to take action. If the Speaker declines to act, it is up to the Government to replace him. We should not be appealing to the leader of the Government in this matter; he has absolutely nothing to do with it.

Hon. Mr. DANDURAND—The question has been put as to the right of the Speaker who was appointed to continue to sit as such from sitting to sitting without being renominated or re-elected to the position. Now the Act, chapter 12 of the Revised Statutes, says:

> **Whenever the Senate is informed by the Clerk at the table of the unavoidable absence of the Speaker, the Senate may choose any Senator to preside as a Speaker during such absence, and such Senator should thereupon have and execute all the powers, privileges and duties of Speaker until the Speaker himself resumes the Chair, or another Speaker is appointed by the Governor General.**

Hon. Mr. CLORAN—That's it; another Speaker.

Hon. Mr. DANDURAND—(Continuing reading):

> **Every Act done by any Senator acting as aforesaid should have the same effect and validity as if the Act had been done by the Speaker himself.**

It seems to me that those terms are clear enough to satisfy my hon. friend from Grandville. I apologize to him for showing some irritation when he rose to speak about this matter, because I confess, from what has appeared in the press in the last three or four days, I have felt aggrieved at incidents which have occurred in the Senate on this question.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—Who is responsible?

Hon. Mr. CHOQUETTE—I cited that clause the other day, so that there is nothing new in it for myself. What I claim is that, under this law, the Speaker is not unavoidably away. We all know that; the House knows that; the present occupant of the Chair knows it, for he was in his room the other day.

Several hon. GENTLEMEN—Order, order.

The House adjourned until 3 o'clock, this afternoon.

Second Sitting.

The Acting Speaker took the chair at 3 p.m.

Routine proceedings.

SUSPENSION OF RULES.

MOTION.

Hon. Mr. LOUGHEED moved:

That from and inclusive, of to-day, and until the end of the session, Rules 23f, 24a, b, d, e, and h, 63, 119, 129, 130 and 131 be suspended in so far as they relate to Public or Private Bills.

He said: There is only one Bill to come down, the one which relates to the votes for soldiers, and it is very desirable that we should discuss it to-night, if possible.

The motion was agreed to.

Hon. Mr. DANDURAND—Could we have the assurance that the Bill to which my hon. friend refers will be distributed to the members through the post office as soon as possible, so that we may read it over and become familiar with its provisions?

Hon. Mr. LOUGHEED—My hon. friend the leader of the Opposition and I have just seen the Parliamentary Counsel who assures us that he will endeavour to have the Bill here by eight o'clock. It is in the printer's hands.

Hon. Mr. DANDURAND—Could we not have it distributed before that hour?

Hon. Mr. LOUGHEED—If we receive it before that time, it will be distributed.

Hon. Mr. DANDURAND—Because until we know its contents it would be rather difficult to consider it in committee.

Hon. Mr. LOUGHEED—We of course will consult the wishes of the House, but I propose that we should go as far as we can with it to-night.

Hon. Mr. CLORAN—I give the hon. leader of the Government in the Senate fair notice that the Bill cannot be proceeded with unless it is printed in both languages. The absent Speaker was in the habit of insisting on measures being printed in French and English before dealing with them.

Hon. Mr. CHOQUETTE—I suppose we will dispense with that to-night.

Hon. Mr. CHOQUETTE.

Hon. Mr. CLORAN—No, we will not.

Hon. Mr. KERR—We are at a crisis now and want to get through with the business as soon as we can, and I hope the hon. member, after thinking the matter over, will not press his objection. We are all anxious to deal with the Bill in the best way possible. Could the hon. leader of the House tell us which Bill is coming down? Is it the Bill relating to the votes for soldiers?

Hon. Mr. LOUGHEED—The title of it is Votes for Soldiers.

Hon. Mr. CLORAN—And nurses.

Hon. Mr. KERR—I have seen three different Bills.

Hon. Mr. LOUGHEED—The Bill I refer to is the last Bill.

Hon. Mr. CASGRAIN—It is the latest edition.

Hon. Mr. LOUGHEED—Yes, the latest edition.

Hon. Mr. BOSTOCK—I presume my hon. friend would not insist on the second reading to-night if it was thought desirable to take a little time to consider the Bill?

Hon. Mr. LOUGHEED—It would be entirely in the hands of the House. It occurred to me that, as the Bill is made up largely of details, we might go into committee, and if it is found in any way too complex for hon. gentlemen to grapple with, without further delay, we will let it stand over until to-morrow.

The SPEAKER—It being six o'clock, I do now leave the Chair.

The Senate adjourned until eight o'clock, p.m.

After Recess.

VOTES FOR SOLDIERS BILL.

INQUIRY.

Hon. Mr. BOSTOCK rose to inquire upon the introduction of Bill 111, intituled: "An Act to enable Canadians on Active Military Service during the present war to exercise their electoral franchise," into this House:

1. If the British Government or the Secretary of State for War in that Government have been approached with a view of ascertaining if they would give the necessary permission to allow the Act to be placed in operation outside of Canada?

2. Does the Government consider it necessary to approach the authorities in France with the same object?

3. If permission is obtained, will it be possible for the volunteer to exercise his franchise freely and untrammelled by regulations inherent to the enforcing of military discipline?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows: The answer to No. 1 and No. 2 is no. The answer to the 3rd question is "yes, subject to the paramount obligations of his military duty."

VOTES FOR SOLDIERS BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill No. 111, An Act to enable Canadian soldiers on active military service during the present war to exercise their electoral franchise.

The Bill was read the first time.

Hon. Mr. CLORAN—Before the hon. leader moves the second reading of the Bill I should like to supplement the question put by the hon. leader of the Opposition and the answers by the hon. leader of the Government. It is quite pertinent to the question before the House, and the inquiry which I shall place on the Order Paper is as follows:

Senator Cloran will inquire of the Government as follows:

1. How many, if any, of the one hundred thousand citizens of Canada at present under arms in the defence of Canada and the British Empire, against the German, Austrian and Turkish Governments and armies have petitioned the present Government or the Parliament of Canada to pass and enact a law to secure and provide for them the right to cast their ballots at any general, or by-election, for federal purposes of the Dominion of Canada during the present war.

That is a fair question and I must say that I put it with a feeling of pride after my experience of half an hour. I submitted this question to every soldier I met on the street cars and on the thoroughfares. They did not know who I was when I put the question to them, but they said, "That is right, we are soldiers of the King and we want no politics. We are no party men, and want no vote of that kind." I am glad to be able to put this question on the Order Paper under the circumstances. I have given the answer of all the men who are leaving to-morrow to fight the enemy, and I have their names here. They do not want to be bothered with this kind of petty politics, and I am proud of the soldiers of Canada.

Hon. Mr. LOUGHEED—I move that this Bill be read the second time. Two considerations necessarily enter into the measure, one being the policy of the Bill and the other the method or system by which it is proposed to carry it out. I venture to say that no valid or substantial objection can be taken to the principle of the Bill. The exercise of the franchise by every elector entitled to vote is considered one of the most valued of the rights of citizenship, and a right which he should be assisted in every possible way to exercise. It is not necessary for me to enlarge in any way upon the desirability of every citizen casting his ballot, I also venture to say that under no reasonable circumstances should the elector be deprived of his vote. The trend of all legislation has been to assist the elector to exercise his franchise. Almost every Parliament finds us amending our election Acts for the purpose of overcoming difficulties which may be found in the way of the elector freely exercising his voting. In this particular case it should be considered absolutely incumbent on Parliament that the troops which Canada has sent to the continent of Europe and who are to-day on active service, should be assisted by legislation to exercise that franchise which, if they were in Canada, they would enjoy.

The service which they are rendering, not only in the interest of Canada but in the interest of the whole Empire, should be, and is, one of the strongest reasons why the Parliament of Canada should devise means whereby that franchise may be enjoyed by those who are serving the Empire in the field. I venture to say that hon. gentlemen will not dispute the principle which is embodied in the Bill, and which is the fundamental policy of the legislation which we are now considering. The duty is, therefore, thrown on Parliament to say whether it is possible to so crystallize that principle into legislation as to permit of the 40,000 Canadian soldiers who are now in Europe to-day on active service, serving their King and country, to exercise freely their franchise to the same extent as the citizens of Canada who have stayed at home will vote at the next general election. Now the working out of the method or system whereby this can be put in operation should not require extraordinary ingenuity, should not require any great resourcefulness on the part of legislators. When seriously considered, and worked out, it will be found—and it must appeal I think to every intelligent man—that a system has in this Bill been devised surrounded by all

the necessary safeguards for the exercise of the voting rights of every soldier on active service at the time the general election is held. Very shortly, the system for Europe which has been devised is this: it is proposed that when this Act comes into operation a ballot shall be prepared, as appears in the schedule to the Bill, and the necessary papers and instructions should be sent to the troops who are on foreign service. Those documents will be sent to the secretary of the High Commissioner. Upon the writs for election issuing, instructions will be sent by cable to the secretary of the High Commissioner to deliver to the chief paymaster, who is stationed in London, the necessary papers for distribution amongt the troops in Europe. The chief paymaster will send to each regimental paymaster the necessary documents to be handed to the commanding officer of every camp, or unit, or corps, that may be either in England, in France, in Belgium or elsewhere. This will place the men under such commanding officer at once in touch with all the information necessary as to the election which is about to take place in Canada. They will not vote for candidates; they will vote for the Government or for the Opposition. The commanding officer in charge of any particular unit, or corps, will inform his men of the right which has been extended to them by this legislation, of their being entitled to vote, of the ballot being given to them to be marked with the same secrecy that is observed in an election conducted in Canada. Attached to each envelope in which the ballot will be secretly enclosed will be an affidavit which the voter will make as to all the particulars necessary and as to the electoral district where, if in Canada, he would vote. When the ballots are marked all those documents will be returned in sealed packages to Canada and distributed throughout the various electoral districts to which they apply by the Clerk of the Crown in Chancery. The candidates representing both political parties, or independent candidates, will be duly notified by the returning officer of each electoral district of those papers having been received and of their being opened in the presence of the representatives of all candidates, precisely as a ballot box would be opened.

Hon. Mr. DAVIS—I guess they would rather see them put in than see them taken out.

Hon. Mr. LOUGHEED—Hon. gentlemen, in perusing the particulars of the method which has been worked out in the Bill, will probably conclude that this system can be carried out with the same satisfaction to the voter that any system in vogue in Canada will be carried out at the time of a general election. There is also provision of a somewhat different character, but very much along the same lines as to the troops who are on active service in Canada. The details will be found worked out in the Bill, and which, when we go into committee, may be further discussed.

Hon. Mr. EDWARDS—What are the qualifications for taking an affidavit effective in Canada? By what means would a party be qualified to take affidavit?

Hon. Mr. LOUGHEED—The commanding officer will be authorized to administer the oath to the voter, the same as a returning officer would.

Hon. Mr. DAVIS—I should like to ask the hon. gentleman if this Government, or any other Government, has any right to pass any legislation outside of the four corners of this country. How can we pass legislation to do something in Belgium, or Flanders or any other foreign land? Your affidavits would not be worth the paper they are written on—a piece of impertinence.

Hon. Mr. LOUGHEED—If hon. gentlemen prefer that the Bill be debated and read a second time to-night, it would probably admit of our disposing of it at an earlier hour than if we deferred it until to-morrow. What does my hon. friend the leader of the Opposition say about that?

Hon. Mr. BOSTOCK—I was going to suggest to my hon. friend that I should move the adjournment of the debate in order to take this matter up to-morrow morning. The Bill has only just come up to us; it is in a very much amended form as compared with the form in which it was first of all introduced into the other House; and I think it requires careful consideration before we express an opinion upon it.

Hon. Mr. THOMPSON—I understood the hon. gentleman to say that if those Canadian soldiers were in Canada they would have the right to vote. Now in the province from which I come, 30 days' residence would not give any volunteer, if he were at home, a chance to vote in New Brunswick; he would have to be a resident 1 year there. In that respect the Bill differs from the franchise which the people at home would have, so far as our province is concerned. I understood the hon. gentleman to say that

we merely extend to them the privilege they would enjoy if they were in Canada. Am I right?

Hon. Mr. LOUGHEED—No, we have extended the franchise as to many of them, in fact as to all.

Hon. Mr. WATSON—If this Bill is to stand over until to-morrow there is one phase that I do not think has been taken up in this House, and I do not think in the House of Commons either; it is the intention to give all soldiers on active service an opportunity to vote.

Hon. Mr. LOUGHEED— No, not all.

Hon. Mr. WATSON—All who, if they were in Canada, would have a vote in Canada?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. WATSON—Then I wish to inform the hon. gentleman that there are several thousand of our naturalized Canadian citizens who are fighting in the trenches and who have been there from the commencement of the war. I refer to the reservists who joined their regiments in England, Ireland, France and Belgium. I know that I am safe in saying that a good many thousands of those people went from western Canada. Now, no provision is made in this Bill for taking their votes though I think it is just as practicable to do so in their case as in that of the people referred to. You are making an invidious distinction between the volunteer who has gone to the Old Country in a regiment from Canada, and the citizen of Canada who has gone back to join his regiment in England, Ireland, Scotland, Belgium or France—the reservist. I know that some of those people have lived in Manitoba during the last 10 or 15 years, that they are naturalized subjects in Canada, coming back from France and Belgium, yet there is no provision for them in this Bill.

Hon. Mr. LOUGHEED—I think the reason is quite manifest. The Government of Canada has official knowledge as to all members of the militia who are upon active service, but as to reservists they naturally would have no information whatsoever, any more than they would have as to any person returning to his native country at any time.

Hon. Mr. THOMPSON—Would you not think the reservist would be entitled to exercise his franchise if he had been here 10 or 15 years?

Hon. Mr. LOUGHEED—Yes, he would be; I am not questioning that. What I am questioning is the passing of legislation whereby we could legislate for those of whom we have no official knowledge whatsoever. We have official knowledge as to every member of the militia, but it would be utterly impossible for the Government of Canada to investigate the case of every alleged reservist who might appear in France or Belgium or any other country, and say: "I came from Canada and am entitled to vote."

Hon. Mr. WATSON—I am inclined to think there would be no trouble at all in getting a list of those reservists, because they could not very well live in Canada without the permission of the Government, especially if ordered to return to the colours. There would be no more difficulty in getting a list from the consuls representing the different countries of all those reservists who returned than there would be in getting a list of the volunteers who went to the front.

Hon. Mr. CHOQUETTE—I understand that the hon. leader of the Opposition does not intend to speak to-night. If so, does he intend to move the adjournment of the debate? In that case I suppose it is better, especially for those who are against the principle of the Bill, to give their views now. I am against the principle of the Bill, and shall vote against it, and against any amendment that may be offered, because, being against the very principle of this Bill, it is time lost to discuss amendments. I do not like to speak before the leader of the Opposition, so if he intends to make some remarks in a general way, I am willing to give way to him—

Hon. Mr. CASGRAIN—Answer your own leader.

Hon. Mr. CHOQUETTE—I am not answering any leader, but if the leader of the Opposition, or any one else is willing to speak on the principle of the Bill before the second reading and before adjourning the debate, I am willing to give way, as being one of the humblest and youngest members of the House.

But if the leader of the Opposition intends to move the adjournment of the debate, I think it is just as well for me to express my views to-night. It being so understood, though not wishing to speak after the leader of the Government I may be allowed to speak now, and urge that the principle of the Bill is wrong, and it is just as well to

fight it out now. First, I think, that the Parliament of Canada has no right to pass any legislation to be enforced in a foreign country, especially in the trenches. It is not practicable to enforce such a law without the consent of the British and French Governments. I say, as a matter of principle this Bill is ultra vires in so far as it affects other countries. Even if we had the consent of the British, Belgian and French Governments it would not be practicable to get these men to vote. We must not lose sight of the fact that the soldiers who are at the front are not under our control. They are British soldiers, and we are asking the officers to supply ballots to soldiers in trenches, and ask them to vote. It seems to me absurd, I heard the same expression from the gallery of the House of Commons. It seemed to me it is absolutely clear that this legislation is impracticable and useless. Supposing now, as I hope it will be the case, that the British Armies, with the good French soldiers will push the Germans back on to German territory, there will be thousands of soldiers in trenches on the German soil, and we will ask the British and French officers to carry the ballots into these German trenches, with the affidavits to the soldiers when at any moment the bugle may sound, and an engagement take place. It is really absurd and impracticable, and I think it is wasting the time of this House. I say that we ought to oppose the second reading of the Bill and I think all the members of the other House will be satisfied if we throw it out, because they are only making politics of this matter and nobody is serious about it. The Government is anxious to wave the flag with this Bill, and we do not want them to do that.

Hon. Mr. POPE—I object to the language of the hon. gentleman.

The SPEAKER—The hon. gentleman has no right to impute motives to members of the other House.

Hon. Mr. CHOQUETTE—I have a right to say that that is the reason it is brought here. I say the Opposition were forced into a corner and they did a little flag waving too, but that is not a serious matter. I do not regard this as a sensible Bill. Take the first reason given by my hon. friend the leader of the Government. He says that on a certain day after the writ is issued the officers will take the ballots to the soldiers in the trenches. Supposing it is possible for them to do that, Kitchener may have a guard at the camp who will allow no man to go there. If these officers take the ballots to the trenches there must be some discussion in the trenches. The soldiers will not vote like blind men; they are not allowed to see the papers, but the soldiers are not fools, they are intelligent men. They are going to ask the returning officer, "Is there an election going on?" Which Government is in power? Who is the leader of the Government? Who is the leader of the Opposition, and who are the candidates. That is the sort of question the sensible voter will put. We have that in every election. A great many members of this House came here without ever having fought an election, but those who have been in elections know when the candidate goes to a voter he is asked certain questions which he must answer. In this form of ballot it says, that I vote for—no name. Surely he has a right to know who is the candidate. There are tens of thousands of soldiers there. The returning officer is obliged to answer questions. Is he going to call a meeting and address the electors, and say to them "There is the Government led by Sir Robert Borden—at least it was so two weeks ago, I do not know how it is now. Perhaps there may be a nest of traitors over there now." Perhaps he will say, "There is an independent candidate; it may be Bourassa, Lavergne, Blondin, Sévigny, or somebody else." Such questions have to be put and answered. The more I think of the Bill the more I am convinced it is a farce, and a mockery to the soldiers who are at the front, that an officer would go there without being able to instruct these men for whom they are going to vote. Now they would say: Would you vote for the Government and the soldiers would say, "Yes, vote for the Government." Take the city of Calgary. There may be two Tory candidates both supporting the Government. The soldier might say "I wish to vote for the best one, who is he?" Well, they don't know—Vote for the Government. Are you going to consider the soldiers over there are fools and blind men, who will not put questions, or are you going to appoint men who will make speeches to the soldiers? I do not say that the Government will ask them to do that, but that will happen. Even with the permission of Lord Kitchener, Sir John French, and General Joffre—which we have not got—the thing would be a farce.

Hon. Mr. DAVID—Do the hon. gentleman's remarks apply only to soldiers outside of the country?

Hon. Mr. CHOQUETTE—So far, yes. I think the election should take place after the war, when the soldiers will be able to vote in their own country. If the Government is so anxious to have them vote, let them hold the election, say, three months after the war. That would enable all the soldiers to return and give time to the wounded and sick to be cured, and they could vote here.

Hon. Mr. DAVIS—And time to get the prisoners released.

Hon. Mr. CHOQUETTE—Yes—Under all these circumstances we would please the soldiers in the trenches very much more by giving them good rifles, good boots, good clothes, good binoculars and good tobacco, than by giving them a ballot. The soldiers at the front have suffered greatly for their country, and I am sure that they would be much more pleased if the Government retained the money to be spent on this Bill to buy comforts and necessaries than to send ballots to them saying, "Here is a ballot, you have to vote for my friend." This Bill may have a good sentiment behind it, but in this country there are thousands of men who can not vote on election day although they are living here. Railway men are sometimes obliged to leave before election day, perhaps to carry soldiers on their way to the front. If an election takes place in June, July or August, I know that in some counties below Quebec there will be two or three hundred men who could not vote on election day. I have suffered myself from that sometimes when I was a candidate. They go away by the end of May or the beginning of June to Saguenay, Anticosti island, Gaspé or Labrador and are necessarily absent when the vote is taken. It would be ten times easier, more legal and more intelligent to give these people the right to vote, but there is nothing about them in the Bill. The idea is to make a kind of appeal to sentiment so that the people may say, "This Government is looking after the soldiers." There is no hurry for an election. Why have an election before the end of the war? The Liberal party is not afraid of an election, but will be glad to go to the country. But it seems to me the best way to insure the right of all these soldiers is to have an election at a date when they will be here, and when they will be back on their farms, and in their homes—and in a position to vote with intelligence knowing something of the issues before the people, knowing who are the candidates in the field, and especially knowing the policies of the Government and the Opposition. I repeat, I do not speak as a Liberal, because we are not any more going to fight elections in this House, but generally speaking, from what I have seen in the papers, the Liberals are not afraid of an election, but will be glad to have it now. If you take the British Government as an example, what are they doing? If I remember correctly the law has been changed and instead of a member of Parliament being elected for seven years, he is now elected for a term of five years. According to that law I think an election should be held this year, but I see by the press that both parties are going to agree to postpone the election until after the war. It might be in the interests of the party, perhaps, but it would be contrary to the Constitution, to have an election now. If the Government are in a hurry to bring on an election it is probably because they are afraid that when the soldiers return after the war, on account of the way they have been treated, they will vote against the Government. They probably think by this measure to flatter their feelings, but the method is unconstitutional, impracticable, and absurd. The first draft of the Bill contained a clause which gave some assurance that the officers would be appointed in such a way as to give satisfaction and security to both parties. Clause 4 of the Bill as it was first printed after its introduction provided:

> There shall be appointed by the Governor in Council six scrutineers, three appointed on the nomination of the Prime Minister, and three on the nomination of the Opposition.

There was some fairness in that. It would place both parties on the same footing in regard to scrutineers, but when I read the revised Bill I see that that clause has been struck out. The insertion of that clause originally in the Bill showed that the Government was willing to make some concessions to public sentiment.

Of course the ballot form here would show that the soldier will have also the right to vote for an independent candidate. It would be a question to know who are the independent candidates, but by clause 4 it would appear that the independent candidate has no scrutineer. What is the reason? Because there are so many independents now? Perhaps some of the Nationalists would come back to their old love and would like to have scrutineers too; but the Government was only proposing by that clause 4 to have so many scrutineers, and have no provision for an independent candidate.

That is where the Government shows so little sincerity. I am not going into particulars on this Bill, because the main point with me is the impracticability of the Bill and the impossibility of putting it in force. It would be quite useless. I shall close these remarks by quoting from a paper which was in the past an organ of a member of the Government the Hon. Mr. Blondin, and the organ of the Deputy Speaker, Mr. Sévigny—I mean Le Devoir of Montreal. I do not agree very often with Le Devoir, and very scarcely do I read in it any articles that satisfy me, though it is a good paper, has very able men writing in it, but very generally their views are not mine at all. On this question, however, I read the day before yesterday an article by Mr. Heroux, with which I agree. I have not the time to read the whole of it as I did not expect to speak immediately, but later on; I shall read it in French, because I like to have it appear as representing the views of the Nationalists, and so a wing of the Government, in the person of Hon. Mr. Blondin. It reads so:

Envisagé du point de vue de l'intérêt général du pays et des réalités, le projet est indéfendable et il ouvre la porte, comme l'indiquait discrètement un journal conservateur, la "Gazette", aux pires abus. Parmi, ses défenseurs, les uns peuvent être de bonne foi: ce sont ceux qui ne voient qu'une chose, l'hommage à rendre aux volontaires, quelle que soit la forme de cet hommage, et qui considèrent le bulletin de vote comme une sorte de médaille militaire. (Certains voulaient même étendre le droit de suffrage aux petits clairons et aux gardes-malades.) Mais il est à craindre que, pour d'autres, le projet ne soit qu'une manœuvre destinée à préparer la campagne *khaki* que tout annonce. Ou les libéraux accepteront le projet, ont-ils dû se dire, et nous n'y perdrons rien, nous avons même chance que de gens qui dépendent du Gouvernement pour l'attribution de leurs pensions, etc., soient plutôt disposés à le favoriser; ou ils le refuseront, et alors quel cri de guerre: l'opposition n'a pas voulu donner à vos fils et à vos frères qui sacrifient leur vie pour le pays le droit que possède tout citoyen.

That is exactly the view I took a moment ago—that this question has been brought up as a little flag-waving, to try to go one better on the Opposition, if the Opposition should fight the Bill. The article concludes as follows:

Ce ne serait pas la première fois qu'on aurait essayé d'abriter sous le manteau du patriotisme de louches manœuvres.

The end of the article is quite correct and true, and I am glad for once to endorse what has been published by Le Devoir. Now, hon. gentlemen I have spoken with a little feeling on this subject, but it is all because I feel strongly on this question. I may be wrong, but anyhow you will grant me the sincerity of my views.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—This is not a party question. I do not know what the leader of the Opposition will say; he did not speak to me about this measure and I did not speak to him. I wish to give free expression to my views on this question as on any other; I have been looking over the Bill and following the debates in another place, I have been convinced from the first that this measure is against the constitution in this way—that we have no right to legislate or pass laws which we are going to try to put into operation in two or three foreign countries, without having at least ascertained if they will concede the permission to put them in operation.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—More than that, this Bill may as I have said before have to be put into force on German soil, because I hope very soon the French, Belgian and English soldiers will be fighting the German people on their own ground. I raise my voice against the very principle of the Bill, and oppose the second reading, and shall oppose any amendment that may be offered on about the same line.

Hon. Mr. ROCHE—I am not going to make any remarks at this stage, but I should like to make an inquiry. I would direct the attention of the hon. leader of the House to line 21 in the second clause of the Bill and ask if he knows how many of the Royal Canadian regiment are now in Bermuda; and as there were some hundreds previously unqualified to vote in Halifax, whether all the soldiers of that regiment, having now increased pay, will be able, under this Bill, to poll their votes in Halifax, in the constituency where the Prime Minister is about to run, and swamp the whole vote?

Hon. Mr. LOUGHEED—What is the question?

Hon. Mr. ROCHE—I ask how many of the Royal Canadian regiment are in Bermuda?

Hon. Mr. LOUGHEED—I could not tell my hon. friend that, but presumably every member of that regiment in Bermuda who would have a vote in Halifax should certainly be assisted in exercising his franchise.

Hon. Mr. ROCHE—But they will not, and they have not had a vote hitherto. This Bill gives primacy to the Royal Canadian regiment in consequence of their pay being higher than it was before, to throw them, who had not votes before, on the electorate of Halifax.

Hon. Mr. LOUGHEED—Does my hon. friend take exception to the troops on active service having votes in Canada no matter what their qualification in Canada may be?

Hon. Mr. ROCHE—I only asked for an explanation of the Bill. I only asked how many would be qualified and placed under this Bill, on that constituency.

Hon. Mr. DAVIS—Swamp the electorate, and march them out the next morning. Better be in Russia.

Hon. Mr. CLORAN—I am exceedingly pleased to follow my hon. friend from Grandville in this debate. He has taken a manly attitude on the question; he has not been afraid to place his views before the public, whether they were adverse to the interest of the Conservative party or of the Liberal party. That is an indication that all independence in this hon. House has not faded away, and has not yet been banished from the precincts of the Senate. We have had an example of independence that must go down in the political annals of our country as far as the hon. senator from Grandville is concerned. He has been one of the most—will I call it fierce?—one of the most true, one of the most faithful, one of the most devoted champions of the Liberal cause the Liberal policy, of the Liberal people, and the Liberal Leaders in this Dominion of Canada before he went on the Bench, when he was a young man since leaving the Bench he has come into this hon. House and has displayed nothing but pure independence.

Hon. Mr. CHOQUETTE—I will ask my hon. friend as a favour to cut that out and discuss the question.

Hon. Mr. POPE—I think the hon. gentleman is quite right.

Hon. Mr. CLORAN—I will discuss the question over the hon. gentleman's shoulders. I wish to say that the opinions and views put forth by the hon. senator are the views and opinions held, I think, by the vast majority of the people of this country. I had the honour this evening to place on the minutes of the House a notice of inquiry asking the Government how many, if any, of the 101 thousand citizens of Canada now under arms have petitioned either the Government or the Parliament of Canada to have a law enacted whereby they should be granted the right to vote while fighting over in Europe or while under tent here in Canada. I am no prophet, but when the answer from the Government comes down I venture to say that not one soldier of the King, from officer to private, has asked for this legislation. And why do I make that prophecy? Why, that question I put on the Minutes to-night was an inspiration just before I left my home. On my way to this hon. House I met dozens and dozens of the soldiers of the King, some leaving for active service in Europe to-morrow, Royal Engineers, privates and officers. I had a copy of my question with me, and I asked them, "What do you think about that"?—they not knowing who I was. Their answer was "That is right; we want no vote. We are leaving for the trenches in defence of the Empire; we are soldiers of the King, and we know no politics, and want to know nothing about them until our return. We are of the school of Kitchener, who said, "I am a Minister of the Crown, true, but I am soldier first and have no party allegiance or no party politics." There is the motto of the British Army given to it by the greatest leader since Waterloo—the greatest commander the British Army has known since the downfall of Napoleon. There is the motto given to the British Army from one end of the Dominions to the other—"I am a soldier; I have no politics and am no party man"; and I am proud of the Canadian soldiery right here in Ottawa, men who have probably been strong Liberals or strong Conservatives, answering me with "Well, sir, we are now soldiers of the King; we have no longer any politics, and we want no vote; we don't want to be bothered with ballots in the trenches when we are pulling the trigger on the enemy."

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. CLORAN—Bravo to our Canadian soldiers. There is the position of the soldiery of Canada. Now; as the hon. senator from Grandville has pointed out. this Bill has been brought in for a purpose, brought in to help the Tories to wave the flag. There is not the slightest doubt about that. They thought that the Liberals would object at once—which they should have done on a question of principle, a question of right, a question of decency, and opposed the measure; but as the sena-

tor from Grandville has pointed out, the Liberals were weak-kneed in the House of Commons. They were afraid to oppose the Bill because the Tories would wave the flag against them and say, " Here, look, the Liberals did not want to give you the right to vote." Now, there is the whole game, but the soldiers are on to it, and they will get on to it more when they have to straddle the spavined horses, and use blind glasses and when they will have—oh, God knows what they will have to do, with our $50,000,000 that we spent since August last. I venture to say this, that is the facts were known to the soldiers in the trenches to-day, as we know them now through the Parliamentary committees and through official investigations, not a soldier who is bleeding for his King and for his country would vote for the Government who have given the army spavined horses and rotten boots, bad glasses and all other misfits. The poor fellows there are kept ignorant of all the facts; they do not get the newspapers; they do not get the printed documents of Parliament; they know nothing of what is going on in Canada. The country will say to Parliament that you are mocking the soldier who is shedding his blood in defence of the King, the Empire and his own Canada. You are simply mocking him in sending ballots and affidavits that nobody has a right to take in a foreign country;—simply mocking the poor soldier. That is one of the reasons that I am opposed, like my friend from Grandville, not to the principle of the Bill, but to the Bill itself. The principle of the Bill is to give every man a right to vote. That principle is all right, but the application of the principle is an outrage upon the decency of military life. It is a crime against the poor soldier in the trench to bother him with political questions and issues of which he knows nothing, which may come to-morrow or come six months from this, and on which he cannot cast an intelligent vote. I say it is a crime on military dignity and decency to ask him to accomplish a duty of that kind. The provisions of the Bill to secure the votes are just as wise and just as profound as human ingenuity can make them, but they are absolutely useless; they are absolutely, also I might say, dangerous. They are useless. The ballots have to be transmitted to the secretary of the High Commissioner in London, or to the paymaster in London; then from the paymaster in London to the High Commissioner, and then from the High Commissioner to the Clerk in Chancery. Now, that takes some time. How is the soldier going to vote for candidates that are not yet nominated? The ballots have to be here before polling day, otherwise it would be an outrage on the people residing in Canada to have ballots counted after polling day—an outrage on their liberties and their rights. Now how are the 40,000 soldiers on the firing line throughout the different countries of Europe to know who are the candidates between nomination day and election day in the Dominion of Canada? How will the returning officer at the front have the time to go through the trenches hand the man his ballot and have him vote, seal it and swear to it?

Hon. Mr. DAVIS—You can't swear him.

Hon. Mr. CLORAN—Swear him, yes; what is an affidavit if it does not mean to swear him? That can only be done after nomination or on the day of nomination; it cannot be done before; a man cannot vote for a candidate who is not nominated; and it would be an insult to ask a man, even if he be the best soldier in the world, to vote for people who are not nominated. Cannot this House get on to that? How can a man vote for a candidate that is not nominated? And there is only a nomination on the day of nomination, eight days before the election. Now we will suppose that the returning officer in the trenches gathers his ballots and ships them over to Canada. He cannot send them by aeroplane, for that would be too risky under the circumstances; he cannot send them by wireless; he has got to put them in the post office. Under present circumstances it takes sometimes two weeks to get here. The ballots are brought here. As the hon. senator from Grandville, I think in the most military fashion, put it, the bugle sounds, 10,000 men leap from the trenches to defend the English flag; there on the firing line the Germans are levelling all kinds of weapons of death against them. Out of the 10,000 there are 5,000 or 7,000 slain; that is between nomination day and polling day. Have dead men a right to vote in Canada?

Hon. Mr. DAVIS—Oh, yes, they have often voted before.

Hon. Mr. CLORAN—Does the Bill give dead men the right to vote in Canada? There are 10,000 or 20,000 who leap from the trenches and charge the enemy. Most of them are slain. The day before that morn-

ing they have given their ballots to a certain officer. Are those ballots to be counted?

Hon. Mr. DAVIS—If a shell struck the ballot box what would happen?

Hon. Mr. CLORAN—Why cannot hon. gentlemen see how absurd the Bill is in all its particulars? Not alone with regard to the principle of the Bill, but in its provisions. I put that to the country. As far as I am concerned, I would just as soon see a good dead soldier vote as many a live Tory in this country; and if we only had the opportunity to go among those poor soldiers in the trenches and tell them what had happened and what has been uncovered and unveiled in the parliamentary committees of investigation in this country, not only would they turn their ballots against the Government, but I would not blame them if they would turn their rifles. I want to say this right here now, that the Conservative pet, the Canadian manufacturer, has sent more men to the grave, has sent more men to the hospital, has put more men into a state of ill-health and bad condition, than all the German bullets and shrapnels since the beginning of August last.

Hon. Mr. DAVIS—That is true.

Hon. Mr. CLORAN—More men have gone home to die—oh, they didn't have a chance to go home and die, they have died in the camps, they have died in the fields from diseases contracted in those camps due to the treatment they received at the hands of the Government and their manufacturers. They have perished from pneumonia, colds, meningitis and all other diseases due to the wanton, to the cruel treatment they have received under military discipline such as we have had. If with an appropriation of $50,000,000 we could not get fair treatment and sound medical treatment for the soldiers, and good footwear and good horses, what are we going to get with the $100,000,000 we voted yesterday? What guarantee has the country that the $100,000,000 voted by this Parliament for special war purposes will be better spent—that the soldiers will get the benefit of it?

What guarantee have these men, who are leaving their homes and families to uphold the honour of the country and secure the safety of the Empire that they will receive proper treatment? Put the question to the volunteers, the men under arms in the cities by thousands, every day drilling, and ask them if they want this legislation and want a vote. Ask the regiments and battalions throughout the Dominion, and I venture to say that you would not get two out of ten who would say, "We want the ballot, and affidavit and want to vote." I am not afraid of the legislation. I think it would redound to the interests of the Liberal party if it went on the statute-book, but that is not the question which we have to consider. It is not a question of party advantage I am looking for, it is a question of the honour of the country. Lord Kitchener and the officers of the British Army must laugh at the stupidity of Parliament in regard to the expenditure of Canadian money for the militia, we are held up to ridicule in the best military circles in England and Europe, and we are now going to place ourselves at the top of the ladder of ridicule. We are going to give to dead men the right to cast their ballots, and we are going to ask men in the hospitals to vote. How can the returning officer find all the men who have served under the British flag? How can he find them in hospitals or ships sailing the straits or the British channel or ocean? Still these poor sufferers have as much right to vote as anybody else. Are they to be neglected. Who is going to be sent with a ballot to them. I mention all these facts to show the absolute absurdity of the Bill. It is utterly impracticable. It should not be put on the statute-book of our country. For all these reasons, and for the principal reason that a soldier of Canada is a soldier of England, and like Lord Kitchener is not asking for the ballot, but says, "I am a soldier of the King, and I am no party man." I shall vote against this Bill.

Hon. Mr. BOSTOCK moved the adjournment of the debate until to-morrow.

The motion was agreed to.

Hon. Mr. LOUGHEED moved that when the Senate adjourn to-day it do stand adjourned until to-morrow at 10.30 a.m.

The motion was agreed to.

Hon. Mr. CLORAN—I object. The hon. gentleman has given no notice of that.

The Senate adjourned until 10.30 a.m. to-morrow.

THE SENATE.

Thursday, April 15, 1915.

The Acting SPEAKER took the Chair at 10.30 a.m.

Prayers and routine proceedings.

ABSENCE OF SPEAKER LANDRY.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. Is it a fact that the Honourable Senator Landry, Speaker of the Senate, gave instructions, written or verbal, on the 8th day of this present month, April, 1915, to the Clerk of the Senate, authorizing him to declare and announce to the Senate, that he, the Speaker, would not take the Chair at the afternoon sitting of the Senate, called for 3 p.m., on the above date of the 8th instant, on account of causes or reasons that would make his absence unavoidable, either personally or officially?

2. Is it a fact that His Honour the Speaker simply intimated to the Clerk of the Senate that he, the Speaker, declined and refused to take or occupy the Chair, at such said sitting on such said date?

3. Why the Government has not filled the office of Speaker of the Senate since the refusal of the Hon. Senator Landry, on the 8th instant, to fill the Chair of the Speaker of the Senate, and to discharge the functions and duties appertaining thereto, under the Constitution, and provided for by the Statute?

4. Does the Government intend to leave the Senate in the present state of chaos until the prorogation of Parliament, and thus jeopardize the validity and constitutionality of all the proceedings and legislation that the Senate has been, or may be, called upon to adopt, or reject, since the aforesaid date of the 8th instant?

Hon. Mr. LOUGHEED—The Government has no knowledge whatever upon the subject upon which the hon. gentleman has made inquiry.

Hon. Mr. CLORAN—Then I may state, not to the hon. leader of the House here but to the Government who are responsible that they are quite at fault. They do not know what everybody knows. That is all I have to say. The Speaker need not rise, I am going to stop right off.

The SPEAKER—No discussion is permitted on an inquiry.

Hon. Mr. CLORAN—I know that, but I have a right to make a simple remark. The Speaker does not require to intervene.

VOTES FOR SOLDIERS UNDER ARMS.

INQUIRY.

Hon. Mr. CLORAN inquired:

How many, if any, of the 101,000 citizens of Canada, at present under arms, in the defence of Canada and the British Empire against the German, Austrian and Turkish governments and armies, have petitioned the present Government or Parliament of Canada, to pass and enact a law to secure and provide for them the right to cast their ballots at any general or by-election, for the Federal purposes of the Dominion of Canada during the present war?

Hon. Mr. LOUGHEED—The Government has no knowledge of any petitions such as has been referred to. As to petitions to Parliament, I cannot say anything. My hon. friend will have as much information about that as I have.

Hon. Mr. CLORAN—The answer of the Government is that they have no knowledge of petitions. Have they been pigeonholed?

Hon. Mr. LOUGHEED—I do not know.

Hon. Mr. CLORAN—The answer is not a fair one. The answer should be "We have no petitions and the Government has no knowledge of petitions." This is something like the petitions of the halfbreeds in the Northwest.

VOTES FOR SOLDIERS BILL.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion for the second reading Bill 111, an Act to enable Canadian soldiers on active military service during the present war to exercise their electoral franchise.

Hon. Mr. CHOQUETTE—I wish to correct the report of yesterday's proceedings in the Citizen this morning which has been telegraphed abroad. The report of a portion of my remarks read as follows:

> The Government is anxious to wave the flag with this Bill and we do not want them to wave the flag; we do not want them to damn the flag.
>
> Senator Pope—"I object to the language of the honourable gentleman; he says he does not care a damn for the flag."
>
> Senator Choquette—"I did not say that. That is the reason the Bill is brought here. I say the Opposition in the other House was forced into a corner and they did a little flag waving too."

The report is inaccurate. I refer to the official report, where I find the following:

> "The Government is anxious to wave the flag on this Bill and we do not want them to do that."

Then the hon. member for Compton (Hon. Mr. Pope) said "I object to the language of the hon. gentleman." I do not say who is responsible for the report in the Citizen but I wish to protest against it.

Hon. Mr. BOSTOCK—In rising to discuss this Bill we have to consider the principle which may be said to be contained in it, of increasing the franchise under exceptional circumstances. I do not see that this House should in any way deal with a question of that kind unless it is shown that any large number of the people have asked that the franchise be extended in this way. The answer given just now by my hon. friend the leader of the Government, in answer to an inquiry, says that the Government has no knowledge that any request has been made for an extension of the franchise in the way proposed in this measure. Therefore, if there has been no demand on the part of the people for it, we are not antagonizing the people in dealing with this Bill in any way that this Chamber may think reasonable and right. As we are not dealing with a question of principle, it becomes a question of the advisability of passing such legislation as this. This Bill is naturally divided into two separate parts. The first part of the Bill deals with the question of men who have volunteered for the service of their country and who are now outside of Canada, and, therefore, if this Bill goes into effect they would have the opportunity of voting should a general election be brought on. But I would direct hon. gentlemen's attention to the 11th clause in the Bill, which says:

This Act shall only remain in force during this present war.

That shows that this Bill has been drafted and adopted for a certain purpose, in order that, should a general election be brought on while the present war is in progress, this legislation may be put into effect. As soon as the war is over this legislation ceases, and it would appear to me that the Government must have in contemplation the idea of bringing on a general election while this war is raging. Hon. gentlemen will hardly conceive it possible that any body would want to put this country into the throes of a general election, while this war is going on. The life of this Parliament will come to an end on the 6th October, 1916, giving us at least 18 months within which a great many changes may happen, changes that no one in this Chamber or outside of it can estimate at the present time. The result of those changes may be very wide and far-reaching, and the idea that this country should be involved in the throes of a general election, and discussing all the issues brought before the people under such circumstances, is almost inconceivable in the minds of those who are anxious and interested to see that Canada should do the very best she can in helping the Empire. The effect of this legislation would be that if a general election is brought on, then the men who are fighting for the Empire outside this country would be put into the position of discussing political questions when their whole time, their whole attention, their whole energy should be devoted to accomplishing the work they have in hand, which is fighting for the principles which we all so strongly maintain. To one like myself, an Englishman, who has settled in this country, who has a son and other relations fighting in the forefront of the battle, it is inconceivable that their time and their attention should be diverted to the consideration of political issues in Canada. To put it from the point of view of the man at the front, I do not think that any man who has volunteered and is facing the possibility of laying down his life for his country, would want to be put up against this proposal of having to say whether the one party or the other in Canada should be returned to power at a general election he has other and to him much more serious things to think of; also as pointed out last night by my hon. friend from Portage La Prairie, this Bill does not in any way apply to all the men who have left Canada to fight in Europe. There are large numbers of men who are just as much entitled to vote as those in the Canadian Expeditionary forces, but who will not receive the benefit of this legislation if it becomes law. There is no proposal to help those men obtain a vote. We may have Canadians in a British regiment along side of Canadians in a Canadian regiment, and if this Bill goes into force, those in the Canadian regiment will have a right to vote, while the men alongside of them in the trenches in the British regiment will be refused the right to cast a ballot. I think that this is putting the whole situation in a very anomalous position. Then, again, the passing of this Bill puts Parliament in the position of passing legislation which we should not really be dealing with. It has been said that it is only enabling legislation—to enable a certain act to be done, but we are coming in contact with the military authorities in England and probably bringing on a conflict between the civil powers in Canada and the military powers in England. At present I do not think that we have any right to bring up such a question. What we should endeavour to do, what I

understand we have been trying to do all along, is to represent to the world that both parties in this country are a unit with regard to the prosecution of this war in which the Empire is involved, and that we are also strongly behind the British Government in our endeavours to help them in the struggle in Europe. The very fact of putting through legislation of this kind would have the effect of showing to the world that there was a conflict of opinion between the people of this country and the British Government. The paper this morning announced that the British Government are considering the question of taking more closely into their counsels the different dominions later on when the time comes to discuss the terms of peace. The British Government have shown by such action that they are prepared to work in closer connection with the different dominions of the Empire, and that they desire to bring about a closer connection, more harmony between the separate dominions of the British Empire—in absolute contradistinction to this legislation, which, as I tried to point out, may bring about a conflict between the military authorities in England and the civil authorities in this country. This Bill has been brought up to us just previous to the announcement of prorogation. It deals with a large question that would bear a great deal of discussion. In order to give it proper and necessary consideration, it should be discussed for a considerable length of time. If we are to have prorogation as has been announced, it will be impossible to discuss this Bill as it should be discussed in this order to make it, if possible, a workable measure. I do not propose therefore to do more than possibly, at the next stage of the Bill, propose some amendments to deal with the matter along the lines on which I have discussed it.

Hon. Mr. POWER—I do not propose any more than the hon. leader of the Opposition, to speak at any length, but I do not feel that I would be justified in allowing this Bill to pass its second reading without uttering a protest. The hon. gentleman from Grandville (Hon. Mr. Choquette) last evening put the case against this measure in a very forcible and effective way, and I cordially endorse what he then said. To one or two points, I think it desirable to call attention. One is that, in addition to the various classes of railway employees and others, and men serving in English regiments who are not to get any benefit from this Bill, we have a number of Canadians who have been on active service in the Navy ever since the war began; and it does seem to me that a sense of justice would have provided that those men should have a right to vote, as well as the men who happen to be in the land forces. The other point is this: I have no objection to any man who has volunteered to risk his life in the service of the Empire and of Canada having a vote, that is, provided he will be in a position to exercise his right of voting independently and intelligently.

Hon. Mr. THOMPSON—Hear, hear.

Hon. Mr. POWER—I am satisfied that, under present conditions, the men who are in the trenches in northern France and in Belgium—and possibly when the election comes off will be in Germany—are not in a position to vote independently and intelligently. That is my strongest objection to this measure.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—Hon. gentlemen know that in the case of an officer like the late lamented Col. Farquhar, the slightest intimation on his part that he wished his men to vote for one party or the other would carry nearly the whole vote of his regiment. That is a most unsatisfactory condition of things.

Hon. Mr. POPE—They are nearly all Tories anyway and it would not do any harm.

Hon. Mr. CLORAN—More Grits than Tories.

Hon. Mr. POWER—I do not know what Col. Farquhar's political views were but I say that his soldiers are serving in the field under officers who are much respected and beloved, as most of the officers at the front now are. The expression on the part of an officer of sympathy with one party or the other would carry the great bulk of the votes of his men. That is a most unsatisfactory condition of things. Here we have men living in this country watching the Parliamentary proceedings and things that are happening day by day, these men having property here, and they vote in virtue of being citizens of Canada and property owners; and you can take a constituency where there is perhaps a majority of five hundred one way or the other, the vote of that majority may be nullified by the vote of a single battalion serving in the trenches, and the vote of

that single battalion may depend on the feeling of the officer who may happen to be in command.

Hon. Mr. WATSON—The man that marks the ballots for them.

Hon. Mr. POWER—Yes, as my hon. friend says, the man who marks the ballots for them. It is only necessary to state that position to show how wrong and improper it is. I may be pardoned if I give a practical illustration of what I mean. I have no doubt the hon. leader of the Government in this House, if there were an election taking place in Alberta, would like to have the election conducted in a perfectly fair way. To show what may happen, and under conditions when perhaps there was less risk, one would think, of any serious interference with the rights of the forces to vote than would be likely in this case, I happen to be aware of an incident which occurred in the election of a member of the House of Commons in what is now the province of Saskatchewan, but was then part of the Northwest Territories. The principal town of the constituency was a mounted police station at which 88 mounted police were stationed when the election took place. The candidate of whom I am speaking was an exceedingly popular man, and on the day of election 87 out of the 88 mounted police came down practically in a solid body and voted against him, open voting. One of the 88 was a resident who would not be either cajoled or cowed, and refused to vote against my hon. friend. That one man was sent down to Regina on urgent business on the morning of the election. You see what you are doing by passing this Bill: You are putting into the hands of people who, I must say, as far as our experience goes in this country, are not particularly scrupulous in their election methods, the power of swinging a vote of anywhere from 50,000 to 100,000, and the effect of that would be that the votes of the people on the spot, who understand the position, would be nullified by the votes of the men in the trenches who do not understand the position and who will vote as the officers wish them.

Hon. Mr. THOMPSON—I do not hesitate to say that I would do as much as any other man for the soldiers at the front who are protecting the rights and liberties of Canada. I am not opposing this Bill because of fealty to any party, but I oppose it because I am satisfied that legislation of this kind should not pass. I cannot imagine who conceived it. We have contracted with the boys that went to the front to take care of their families in their absence, and Canada will be glad to have them back. We are doing our duty to the men who have gone to fight for the Empire. The problem itself with which we are confronted is a difficult one sufficiently difficult to solve without increasing it needlessly; and I am absolutely certain that the machinery in connection with this measure will never work out so that soldiers at the front will have an opportunity of voting as men who exercise the franchise should vote. At the front there are entanglements of barbed wire fences, but there is more barbed wire in this Bill than there is around the trenches. Let us see how this Bill would work. Now we will say it is election day. The leader of some battalion is the returning officer, and at the time the vote is taken a battle is going on and the Canadians are in the thick of it: the leader of that battalion is the returning officer, infused with a desire to help his political leader, and the stretcher comes up bearing a Canadian boy, wounded almost unto death. The leader of the battalion follows up and says. " John you are gone," and he says " yes," and the leader says, " But I want you to vote for Laurier or Borden before you die." Shame on such legislation.

Hon. Mr. POPE—He would not do it.

Hon. Mr. THOMPSON—I do not believe the mothers and fathers of these boys want any such legislation to pass through Parliament. What is the vote to be? It is Government or Opposition. This would have been a better ballot if it said " vote in favour of Conservative interests or Liberal interests." It is like the Irishman coming to the North-West who asks, " Is there a Government in the country? " and when told that there is says, "Well, I vote again it." I do not think it does credit to the House to have a ballot of that kind sent across the water asking our soldiers to vote for the Government or Opposition. If a man were asked whether he would vote for the Conservative or Liberal interests, and he had an opportunity to consider the question, he might very well attach his mark to either the one or the other; Sherman said "war is hell" and this is the first time that any parliament in the world ever invaded the precincts of that domain with the franchise. It calls upon men who are at the front in disturbed con-

ditions to exercise the franchise. It was said a moment ago that the Bill makes invidious distinctions. Reservists that have gone from Canada, who are as much interested in public issues here as the Canadian soldiers are not allowed to vote. It just goes to show that the more the Bill is analysed the worse it appears. Men touch it as though it were full of dynamite and ready to explode. This Bill had its origin in party desire and must have been conceived by a man who has played the game of life with loaded dice. I cannot see anything in this legislation that would commend it to the people of this country.

Hon. Mr. LEGRIS—Allusion has been made to the principle involved in this Bill. I do not know wherein that principle lies, and cannot understand it. I have no hesitation in saying that it is a bad Bill, and is wholly unwarranted. No municipal council in the country would dare to make such a law. For this reason I cannot allow the second reading to pass without entering my protest.

Hon. Mr. DAVID—There is no doubt that this is one of the worst measures ever brought before Parliament. It is subversive of all constitutional principles. It is so impracticable, so open to all kinds of fraud, that I am inclined to think the Government probably hope that the Senate will reject it, and will be happy if they do, so that they may be able to say to the country, "The Senate rejected the measure which we prepared for the purpose of giving the brave soldiers a vote." I am not ready to render them that service, and I want to leave to them the responsibility of carrying out this impracticable Bill. The Senate would make a mistake if it assumed that responsibility. Therefore, although I am disposed to vote for all amendments which will improve the Bill, as the hon. gentleman from Halifax has said, and to give all the guarantees possible that the vote will be honestly and independently taken, I shall not vote against the second reading of the Bill, but will wait to see what amendments may be offered.

The motion was agreed to, and the Bill was read the second time on a division.

Hon. Mr. LOUGHEED moved the House resolve itself into a Committe of the Whole on the Bill.

The motion was agreed to.

(In the Committee.)

Hon. Mr. KERR—The House will regret that the hon. leader has not in some way dealt with the principle of the Bill and endeavoured to reconcile them to what is in the best interest of the country and the best method of securing good government. It must be regretted that this Bill should be thrown at the Senate in this way and that we should be told to sit down and take the Bill in committee and make any amendments we thought proper. Where there is a great principle in the Bill there should be some exposition of the views of the Government upon it before the House. Are the Government in earnest about this? Do they want this Bill passed? Do they think it is in the interest of good government that it should be passed? Do they think it is a fair Bill? Is it one on which they are willing to pin their faith, and pledge their responsibility as the Government of this country? Before this Bill goes to committee we should have some assurance with reference to these points from the hon. gentleman representing the Government in this House. To my mind, dealing with the thing separately and individually, it is one of the most iniquitous pieces of legislation which ever was proposed. It is one which is fraught with very serious menace to the freedom and propriety and purity of elections. It is one which aims at getting an unfair advantage, and no party that ever attempts to do such a thing can expect to have either the support or approval of the honest people of this country. I say under these circumstances it is to be deplored that there is no one in this House to stand up for the Government and say one single word in commendation of this measure.

Hon. Mr. LOUGHEED—I take exception to what my hon. friend has said. He could not have been in the House when I introduced the Bill. If my hon. friend will look at the debates, he will find that I made a speech stating what the principles of the Bill were. I venture to state that my hon. friend cannot controvert those principles. My hon. friend has no right to make the statement which he has done. He is absolutely incorrect. I should also like to draw attention to the fact that the second reading has been carried, and we are now discussing as to whether we shall go into committee.

Hon. Mr. KERR—Before we go into committee I am entitled to say what I think

in reference to the course which has been pursued in regard to this Bill.

Hon. Mr. LOUGHEED—My hon. friend has no right to attribute questionable motives to the Government or to make a statement which is absolutely incorrect as to the position I took in introducing the Bill. If the hon. gentleman will look at the Debates he will find that I made a statement of the principles involved.

Hon. Mr. KERR—I heard all the hon. gentleman said. I never heard one word from him to indicate that he personally approved of the Bill, or that the Government had an honest conviction that it was their duty to introduce it, and to extend the franchise as it was proposed.

The SPEAKER—The language of the hon. gentleman is rather strong.

Hon. Mr. KERR—The Bill is rather strong. This is a most iniquitous intrusion upon the right of the soldier, who should be left free and untrammelled to carry on the battle which he is sent to fight. I say this is one of the most iniquitous Bills in that respect which I ever thought would be introduced into an assembly like this. The responsibility is taken by the Government; we have that much about it, but who has said one word as to this being proper legislation, or about the new principles introduced here, of presenting to men in a foreign land, some of whom were not British soldiers until they took the oath to serve as soldiers, men who have no stake in this country and were here for only a short period of two or three months, the right to vote, to decide what is to be the destiny of this country, and which party is to govern this country for a further term of probably five years. I say there is no justification for it. I listened to all that was said, and what I noticed particularly was how little was said and how much was left unsaid. I do not blame my hon. friend for being disgusted with having to father a Bill like this.

Hon. Mr. LOUGHEED—I ask my hon. friend to retract that statement. He has no right to make it. He has no right to attribute false motives to me.

Hon. Mr. KERR—My statement is qualified. I say if that is the reason why we have not had the statement, we ought to have it now. I think we ought not to let it pass unnoticed. The idea of the Government, on the last day of the session, with prorogation to take place in two or three hours, presenting to the country and asking the Senate to endorse a Bill with all that this contains within its four corners, and asking to confer the franchise on people who are fighting the battle of this country on the continent, who are spread over different countries, is impracticable. This franchise is only to be given to a portion of these men. There is a distinction between those in one country and those in another. What about those who happen to be in Egypt when the election takes place? What will happen to those in Constantinople, or those who may be sent to South Africa to fight in defence of the Empire, when the elections come on? We have no intimation of the date on which the election will be held, but we may assume it is going to be as soon as the Government can bring it on. This is being done by men who have stood up in their place in Parliament (and some outside of Parliament have echoed the statement), that we were not alive to the responsibility of our position, and that they, forsooth, who were hunting votes, unknown in their method of working except when exposed in election time, are going to work this thing out so as to snap a verdict, and get votes for men who have no right to be troubled or bothered about voting. What will be thought of us as a deliberate body, being the first people who ever presented to an army of men who are trying to carry our flag on to victory, ballot papers asking them to vote? What will be thought of men who at such a time as this lose sight of the great issues before the world, when the great battles of the world are being fought in the greatest war that has ever been known, a war in which the greatest number of men are engaged that have ever waged any contest, fighting for the lives and liberties, not only of the people of this country but of the world—what would be thought of this deliberative body, this Parliament of Canada getting down to the petty question of how to carry an election by taking polls under circumstances such as are known in the province of Manitoba, and especially in the county of Macdonald, and that is to be called the free voice of the people of Canada, and we are supposed to confer a great privilege on these people. Who is going to identify the men? Who is going to say how they are to vote? How many people are going to be allowed to canvas them before they vote? What provision of protection is to be given to the men who are on the fighting line, who are under the officers known to be most

prejudiced, and bigoted, and I was going to say the most unprincipled politicians ever known in this country. Some of these men are there. We know them. We know how they carried their elections, and we know they have adopted methods such as have been approved of by men who are members of the Government that is presenting this Bill. I say under these circumstances I cannot allow this Bill to go one step further into committee without making a protest against it as being the most unjust, most unfair, and the most deliberate effort ever made to snatch a victory. If an election is not to be held shortly, why press the matter now? If an election is to be held this vote must be taken in the course of a few weeks. I say, under the circumstances, it is the duty of every man who values the honour of his country and the character of our soldiers, to protect them from such a vicious principle as is involved in this Bill.

Hon. Mr. POIRIER—I shall not discuss the principle of this Bill because the principle has been adopted.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. POIRIER—Whether good, bad or indifferent, this Bill relates almost exclusively to the other House. The House of Commons, Government and Opposition, have examined and passed it. Now are we in this Chamber once more going to interfere with the domestic affairs, I may say, of the other House? On too many occasions we have butted in—the expression although not very eloquent, I hope may pass—against Bills adopted by the other House with the sole view of making votes for one side or the other.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. POIRIER—We have rejected here a Bill for the purchase of branch lines of the Intercolonial Railway, with very little knowledge of the merits of the proposition, but simply, as it appeared to me, because of a suspicion that the purchase of those lines might, in the next election, favour one party more than the other. I maintain that this is not the attitude that the Senate of Canada should take. We should deal with Bills on their merits, but when a Bill is of such a nature as to relate exclusively to the other House we should pass it, especially when there is no important principle involved—and I may say that there are very seldom, if ever, any high principles involved in such legislation. As I said, I shall not, because the motion for the second reading has passed, go into the principle of the Bill. Some parts of it I would myself distrust; others I would uphold; but I shall vote in this instance in favour of the Bill, because it is one that pertains to the other House, and the Senate has nothing to gain by mixing in matters in which we have little direct concern.

Hon. Mr. CLORAN—I am astounded at the statement just made by the hon. senator from Acadia. He wishes this House to adopt the Bill because it was passed by the House of Commons giving this House and the country to understand that it was unanimously approved of by the other Chamber. I protest against any such statement or any inference drawn from it, because it is absolutely incorrect. If any Bill presented by the present Government has met with obstinate opposition from the Liberal party in the House of Commons, it is this measure. Then why does the hon. gentleman come here and try to influence the intelligence and get the votes of this House on the ground that this Bill was passed by the House of Commons—meaning that the House of Commons was unanimous in its support? He should have told hon. gentlemen, as the country knows very well already, that nearly half of the House of Commons was against the Bill, and that half represents more than two-thirds of the population of the Dominion. The hon. senator is mistaken when he thinks he can pull the wool over our eyes in this regard. I want to tell him this, that not only nearly half of the House of Commons, but more than half of the Senate object to this Bill. I had occasion last night to state some of my objections, but as I did not wish to detain the House too long I did not give them all; but I want to have this Bill go on record as the Bill of "three F's." What do the three "F's" mean? In the first place the Bill is a freak; in the second place it is a farce, and in the last place it is a fraud; the Bill of the three "F's," a freak, a farce and a fraud. A more freakish Bill has never been proposed to an intelligent body of legislators. It is a freak, a fad, by which the Government of the day thought they could capture votes by displaying the old flag.

Hon. Mr. LOUGHEED—I rise to a question of order. We are discussing the question to go into committee.

Hon. Mr. CLORAN—And I am giving reasons why we should not go into committee.

Hon. Mr. LOUGHEED—The question arises whether we are to traverse the Bill over again and discuss the principle, as has been done since I moved the motion. I raise that point of order.

Hon. Mr. CLORAN—The point of order is that what I am saying is not germane?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CLORAN—I am talking to prevent the Bill from going into committee, and if I were the leader of the Opposition I would not allow it to go into committee. I would kill it on the spot.

Hon. Mr. LOUGHEED—Then move your motion. I submit there is no motion before the Chair except to go into committee.

Hon. Mr. CLORAN—Why did not the Speaker rule out the hon. senator from Toronto. Why did he not rule out his friend from New Brunswick. What is the matter with the point of order? It is directed against me alone. Am I to be singled out by any hon. senator, from Calgary or otherwise?

The SPEAKER—Order.

Hon. Mr. LOUGHEED—I rise to a question of order. If hon. gentlemen on the other side of the House choose to continue the discussion of the principle of the Bill after the second reading has passed, why, I am content, but I am going to perform my duty by raising the question of order as to whether the discussion of the principle is in order at this time.

Hon. Mr. CLORAN—Why did you not do it with the senator from Toronto?

Hon. Mr. LOUGHEED—The Bill has been read the second time; the House has been committed to the principle of the Bill; I therefore object to any discussion taking place upon the principle.

Hon. Mr. CLORAN—I do not dispute the hon. gentleman's right to raise the objection, but why did he not raise it when the hon. senator from Toronto was speaking?

The SPEAKER—Order.

Hon. Mr. CLORAN: That is the point: am I going to be singled out? Why didn't you raise that point of order before?

Hon. Mr. LOUGHEED—That is not the point. The point is there is a motion to go into committee, and in that motion the principle of the Bill cannot be discussed.

Hon. Mr. CLORAN—That shows the animus of the whole business. The motion was agreed to and the House went into Committee of the Whole on the Bill.

(In the Committee.)

On clause 2—distribution of ballot papers:

Hon. Mr. ROCHE—Last evening I addressed to the learned leader of the Government a very innocent question. I asked him how many of the Royal Canadian Regiment were in Bermuda, and my hon. friend was not so explicit as he is on other occasions, because he told us he did not know. I know something about the troops in Bermuda. I listened very attentively to the remarks made by my hon. friend from Acadia (Hon. Mr. Poirier), and I think that the adoption of the views and the sentiments which he has propounded would be most destructive to the independence of the Senate. The doctrine of passive obedience in the state has never been accepted. I do not think that we would be justified for our attendance here, or our positions as members of the Senate, to give adhesion to any such sentiments, that because such legislation has been passed in the House of Commons, even if it does affect only the representation of the House of Commons, it is not an object of interest or should not be a subject of solicitude for the members of the Senate, a co-ordinate body, and by theory and by practice equally interested in the proper representation in the House of Commons and in the Senate with any member of the House of Commons or any citizen without representative capacity.

Several hon. MEMBERS—Hear, hear.

Hon. Mr. ROCHE—There is no precedent for a Bill of this kind enfranchising the army, that I know of; it has always been avoided as a most dangerous action to give votes to the British Army in England. There is a precedent for it, and that was in the time of George III, when there was a controverted election and he enfranchised a hundred or more of the Guards and sent them into the bailiwick of Westminster to vote against the popular candidate, and rewarded them for the service by giving them a guinea apiece. Is that the kind of precedent we are to have for a Bill like this? My objection to this clause of the Bill, and I wish to confine my remarks to this clause, is as to its operation. These ballots are to be sent to the commanding officer in Bermuda, and wherever British forces may be to which a Canadian contingent is attached.

We do not know where they may be. We do not know who the officers may be; we do not know the operations they are conducting. But at Bermuda there is a regiment which was stationed in Halifax. To assist the views of the Conservative party largely, votes are to be given to the sergeants and other officers of that regiment. The effect of this Bill would be to enfranchise the whole of that regiment, and as their domicile was last in Halifax, the whole of that vote would be cast in a constituency in which elections are decided by a very small majority. Incidental to that is the fact that the Prime Minister is expected to be a candidate in that very constituency; therefore this Bill bears directly upon that constituency, with which I am very familiar. Those sergeants, non-commissioned officers and others qualified have been canvassed on a previous occasion. Amongst them were emissaries attached to the Conservative party and working in their interest. Very many of those who were called old soldiers had the idea, which was extensively propagated, that the Conservative party stood for British connection, that the Conservative party were to the last man loyal and identified with the interest of the Empire, but that the Liberal party were identified with the French, or the rebellious party, or the non-contents in Canada who are always in insurrection, always in rebellion, and always inimical to the British Crown. It was put thus to one of them, and he gave his answer very distinctly: "In this ballot paper I find the names of one Englishman and three Irishmen, and I am going to vote for the Englishman." That vote did not extend to the politics which existed in that division of the Canadian forces which is now in Bermuda and whom we are supposed to enfranchise by this Act. What are the facts? The ballot papers are to be issued to the commanding officer, they are to be given to the paymaster; the paymaster will give them to the captain over the company; the captain will give them to a sergeant over a unit; the sergeant will hand them over to a corporal, unless he has been induced to act as an active partisan in the matter; and we may take every precaution that the ballot is to be handed in formally and precisely t commanding officer and an affidavit made before him that he is the man that has his ballot, and so on, and that it is to be duly conveyed out to Canada. All that is provided for, but the influence that w be brought to bear upon this man by the regiment, and upon those associated with them, and by partisans, either paid or otherwise, imbued with those sentiments, is a very dangerous phase. All these formalities that we have introduced into these clauses will be nugatory unless that sentiment is eliminated altogether. What has that sentiment done already? What damage has it wrought in Canada and the Empire? I believe that that was one of the main reasons for the war; the Conservative party, the British press and all those interested in jingoism, conveyed the idea that there was seething revolution in Canada, that the people were not loyal to the Empire, that if war should break out they would not go forward to defend the Empire, that they were disloyal to the core. I believe that that was one of the inducing causes which led the military party in Germany to precipitate this war. It was brought about by the jingo press in England and by the re-echo of that press in Canada producing the conviction that the whole Liberal party, one half of the electorate in Canada, was inimical to Great Britain and was only rejoicing in the opportunity of severing the connection and of coming out for independence or joining the United States. Now, I say that those influences will be brought to bear upon the individual soldier. No individual soldier will want to vote against the Government; for the vicious part of this Bill is the insidious clause, insinuates " Vote for the Government or for the Opposition which is against the Government," and how will that be construed? The man who votes against the Government will be told " you are against the British Empire, you are against the troops in the field, you are against British institutions, you are against the King." The man who votes for the Opposition will meet the obloquy of all that, the ridicule and the threats; that man knows there is no preference for him if he votes in that way. The man who would vote for the Liberal party, or for the Opposition, would know he was a doomed man. We are sending those men to vote with a halter around their necks. My hon. friend talks about entanglement and barbed wire; this is nothing else but asking a man to commit suicide in the present state of the British Army in the field confronting the enemy. He is not a free man. He has not the benefit of our institutions. In civil elections men can be seen and canvassed, their sentiments are known, their faces are known, and they know the

candidates; they may have a preference for one candidate in one party or the other, but here it is presented in this concrete form: you are a man voting for the British Empire, voting in the field, and voting for the King; and against it are the rebels, the insurrectionists, those who are trying to destroy law and order, and by the presence of the soldiers in the field they ask each man who votes Liberal to put a stigma against his name because they know every man who votes. The ballot has for its object the concealment of the individual and his sentiments; but here they are all canvassed before the election; they will vote in squads, they will vote in platoons, they will vote for the Government because they dare not vote for the Opposition; and that is the condition we put before the soldiers in the field.

Hon. Mr. McKAY (Cape Breton)—How can my hon. friend reconcile the statement which he is just now making with the fact that in section 4 there is this provision:

4. The volunteer may thereupon mark the ballot paper as a vote for the Government or the Opposition or for the independent candidate or for any person for whom he desires to vote, in the presence of the said officer, but in such a manner as not to disclose to the officer, or any other person, how he is voting, and shall fold the ballot paper so that it cannot be read, and shall then place the same in the envelope upon the back of which shall be endorsed a certificate in form C, which certificate shall be signed by such officer, and shall securely close the envelope.

Hon. Mr. DAVIS—Hand-picked; you have them all on the ticket.

Hon. Mr. ROCHE—I will answer my hon. friend.

The CHAIRMAN—The questions refer to clause 4. That will be reached after a while. I hated to declare the hon. gentleman out of order, but he has been out of order for a long while. I think it is understood that we are to get through this Bill before very long and if every person wants to make a speech as long as my hon. friend has, outside the question, the debate will last all day.

Hon. Mr. CLORAN—You can say any old thing you want to in committee.

Hon. Mr. ROCHE—I want to say, with all due deference to you, Mr. Chairman, that your notions of order and mine are totally different. You have ruled in one way, and I think in another, and probably act in another. Now, in regard to the question that was put to me by my hon. friend, first of all I tell him that I have experience in military votes, and I may tell him also that if he had listened as well to the first part of my remarks as he has to that part of my remarks, he would have seen that before those stipulations are to be carried out—that is, the ballot paper to be marked—the men are canvassed in a certain way before they go to vote, and they are marched down. It is quite clear that they might vote either way before the officer, but the influence to make him vote has been exercised in a pernicious way before he arrives before the officer. All those officers, or the great majority of them, are Conservatives, and will let things be done which they should not. I know the military service from the top right down to the bottom, because I have been amongst them, and know how they vote and know how it is carried out. Now, does that answer my hon. friend's question? Now, may I tell you, Mr. Chairman, I know that you would not rule in the slightest iota out of the extreme interpretation of the law of Parliament, and I think you would not do anything adverse to me; and in deference to you, only to you, because you want to preserve entire order on this question and fair play and not to give to one person who only speaks very occasionally in the House, and then at no great length, when he is expressing his sentiments on a subject that is vital, which is closely identified with our political rights, that in this question you would not inflict the extreme severity of your ruling upon such an insignificant individual as myself.

The clause was adopted.

On clause 2, subclause 3:

Hon. Mr. BEIQUE—I do not propose to go into the details of this Bill, but I must ask to be allowed to say a few words on its general features. In this Parliament we have the habit, and the very fortunate habit of looking to the mother of Parliaments for our example not only so far as Parliament is concerned, but also in measures dealing with the development and the application of political institutions. It seems to me that we should examine this Bill in the light of such institutions as applied in England. If we examine into this Bill what do we find? We find that it is a Bill which makes an altogether new departure. Heretofore the franchise has never been exercised by classes. It has never been done in England. But this Bill treats the military forces as a class, and as such they are given the exer-

cise of the franchise. It is the first time it is done here, and it has never been done in England.

Now I desire to call the attention of the hon. gentleman as to whether this Bill and this new departure is liable to produce good or to produce evil; and in examining the question I may say that I am not biased one way or the other, or influenced by any political consideration. When Lord Kitchener was called to the position of Secretary of State for War at the outbreak of the war last August, his appointment was acclaimed all over the Empire because he was known as a great soldier and also a great administrator. He was equally qualified to exercise the office in one quality or the other. The quality of administrator does not dispel the idea that the occupant of the office should close his eyes to all political considerations; but he considered that the position of a soldier—for he intended to accept office as a soldier—closed all avenues to politics; and in taking office he announced that as a soldier he had no politics. Hon. gentlemen, those words were very significant under the circumstances. It was an expression of opinion by Lord Kitchener that as long as the war existed, as long as he occupied that office he considered that his duty was to meddle in no shape or form in politics, and he did not even intend to be responsible for the political acts or the political administration of the Cabinet of which he was to form part. Now, that was for the purpose of reassuring public opinion in England, on account of what had taken place a few months before, and it was for this purpose, I take it of giving guidance to all members of the military force. In England they are exceedingly careful and exceedingly proud of the standing and reputation of the army. They give all the consideration possible to the army and they do it as a matter of duty towards citizens who are sacrificing their lives, and they do it also for the purpose of inducing citizens to join the army and render good service.

If one goes to England he is necessarily struck by the consideration extended to the army. Monuments after monuments are erected for the purpose of expressing the devotion of the English nation for all members of the army who do honour to the nation. If we import politics into the Canadian army, or the military men who are called upon to render service in England as part of the English army, are we going to protect the interests of the army, or of the members of the army? I believe that there is nothing too good for the citizens, or the families of the citizens, who go to the front and risk their lives in the present war. If we let politics interfere with the army, what will be the consequence? It will, rightly or wrongly, create bias against the army. There will probably be a contention that the army has been serving one party or the other, and after the war, when the time comes to vote pensions to the members of the army or their families, then this Parliament will be divided: one side will be in favour of pensions to those who have been injured, and the other side will be against it. I draw attention to this very serious consideration; it is likely to do a very great deal of mischief.

Another consideration to which I call your attention is that the exercise of the franchise is common property and it is on account of that that it is surrounded not only in the exercise of my own franchise, but I am equally interested in the proper exercise of the franchise by my neighbour. Can we guard against the dangers which are incident upon the exercise of this franchise under these circumstances on the other side of the water? It is universally acknowledged that the oath will not be binding, that Parliament has no jurisdiction outside of the Dominion of Canada; any fraud may be committed, and there is no remedy against it. If anything of that kind were to happen, what would be the consequences? It would be a scandal, not only here, but also in England, and France, where most of our soldiers are now. Another consideration which we should not lose sight of is this: that in passing this Bill we are imposing duties on the officers of the British army. Suppose the British officers refuse to discharge those duties, what would be the consequences? It would be a rebuke to this Parliament. Should we expose ourselves to occupying a position of that kind? It seems to me we should not go outside of our jurisdiction, and I repeat that this Bill is destructive of the true military spirit. It is liable to place the army, or the person whom the Bill is intended to protect, in a very false position.

I quite realize that the subject of this Bill is a matter pertaining principally to the House of Commons, but I must say that, as a member of this hon. House, I cannot abdicate my own judgment, and I believe we are here to

express our candid opinion on all measures. If there is a measure as to which there is only a doubt, the doubt should be given in favour of passing the Bill, because it was passed by the House of Commons, but if we consider a measure—as I consider this Bill—absolutely vicious, I claim it is our duty to vote against it. It has been stated that we do not represent anybody here but ourselves. I cannot agree, and I must say no hon. member of this House will agree to that. We are, in effect, appointed by the Cabinet of the day on the recommendation of the first minister, and we are appointed because we are supposed to represent the sober thoughts of the people of this Dominion.

The clause was adopted.

On sub-clause 8:

In the case of any doubt arising with respect to the candidate to whom a ballot paper marked for the Government shall be allotted, the question shall be determined by the Prime Minister or some person designated by him, and if such question arises with respect to a ballot paper marked for the Opposition it shall be decided by the Leader of the Opposition or by some person designated by him.

Hon. Mr. DAVID—Where there are two Independent candidates, or perhaps a Labour candidate, an Independent and a Socialist candidate, who will decide, where the vote is given for the Independent, as to which candidate it should go?

Hon. Mr. LOUGHEED—The ballot really anticipates that the vote will be between the Government and the Opposition candidates. Of course, provision is not made for an independent candidate. It would be impossible to convey to the soldiers in the foreign field the personnel of any of the candidates.

Hon. Mr. CLORAN—I am rising now to make a philosophical objection to the discussion. I find there is very little philosophy here, except that my hon. neighbour on my left (Hon. Mr. Boyer) has some. We are discussing a Bill which we determined to put an end to. It is admitted that we do not approve of the principle.

The CHAIRMAN—It is not admitted. The principle has been adopted.

Hon. Mr. CLORAN—And now we are proposing amendments to a Bill to which we are entirely opposed. What is the object? I say the discussion is absolutely useless.

The clause was adopted.

Hon. Mr. BOSTOCK—I desire to move the adoption of an additional clause dealing with the appointment of scrutineers. I think some provision should be made in the Bill in order to give security that the ballots are properly and fairly taken. I therefore move that the following clause be added to the Bill:

"There shall be appointed by the Governor in Council six scrutineers, three to be so appointed upon the nomination of the Prime Minister and three upon the nomination of the Leader of the Opposition, one of each nomination who may be present at the distribution of ballot papers and envelopes, the making of affidavits, the marking of ballots, the closing of envelopes, the posting of the same, and may exercise personally or by duly constituted representatives all rights which may, under The Dominion Elections Act, be exercised by candidates or their representatives at any poll. At least eight days notice in writing of the date and place when the vote of said volunteers will be taken shall be given to said scrutineers by the Regimental Officers who will collect the votes, as aforesaid, such notice to be addressed to such scrutineers in the care of the Secretary of the High Commissioner for Canada in London if the Regimental Officers are in Great Britain and to the care of the Canadian Commissioner in Paris if said Regimental Officers are in France, Belgium or Germany."

Hon. Mr. DAVID—Is that clause similar to the one which was inserted in the first draft of the Bill in the House of Commons?

Hon. Mr. BOSTOCK—It is with the same idea to a certain extent, but it is not identically the same clause.

Hon. Mr. LOUGHEED—I understand that a similar clause was discussed in the Commons and rejected.

Hon. Mr. BOSTOCK—No, I doubt that statement. There was a proposition that three commissioners be appointed, one from the Government side, one from the Opposition side, and the two would have the appointment of a third commissioner, and if they could not agree I think it was provided that the Chief Justice of the Supreme Court of Canada should be appointed the third commissioner, and to have the full charge of the running of the election or the superintending of the voting by the soldiers abroad. This was not accepted, but the suggestion had been made across the House that scrutineers should be appointed by both parties, and a Bill, of which I have a copy, was printed and distributed by the Minister of Justice which contains the very principle which is now being embodied in that amendment.

Hon. Mr. LOUGHEED—Why not adhere to the clause which appeared in the Bill in the House of Commons?

Hon. Mr. DANDURAND—Because that clause only provided for the appointment of three scrutineers to act for both parties and did not give them the right to appoint delegates or representatives, because those three scrutineers in the clause drafted by the Minister of Justice had the right to attend at the taking of the vote, at the making of the affidavit, etc., but it is quite evident that the three scrutineers could not be in different places on the same day, and one would require to go to England, another to Flanders another to Belgium.

Hon. Sir MACKENZIE BOWELL—Is that not complicating the working out of the Bill? It seems to me that every additional clause of that character which you add to the Bill makes it more impracticable than it might otherwise be, and when you consider that the armies may be scattered hundreds and hundreds of miles from each other it makes the working out of the Bill still more difficult.

Hon. Mr. DANDURAND—The hon. gentleman apparently realizes that the Bill will be very difficult to carry out.

Hon. Sir MACKENZIE BOWELL—I think so, and I think you are complicating it further by adding the clause.

Hon. Mr. DANDURAND—We must not forget that we are doing it practically blindly. We are asking regimental officers to do work which they may refuse to do. We are asking regimental officers who may be Canadians to carry on the election, and these officers may spurn the idea of carrying on an election in the trenches; but if the officers will act, it seems to me we should add some other kind of safeguards which will insure the proper taking and registering of votes.

Hon. Mr. CLORAN—The more the discussion proceeds the more ridiculous the Bill becomes. The hon. senator has just read an amendment to the Bill that eight days' notice should be given before the voting. Bear this in mind and study it. Supposing the House is dissolved the 1st of June, nomination day is fixed for a certain date, say 23rd June, and the election on 1st July. What happens? No man can vote or make up his mind until nomination has closed. No man here in Canada can tell who he is going to vote for; he will not know until the candidates are declared for the Labour party, the Socialist party or any other party.

Hon. Mr. LOUGHEED.

Hon. Sir MACKENZIE BOWELL—That is provided for in the Bill.

Hon. Mr. CLORAN—These provisions, as far as Canada is concerned, are sane, but absolutely insane as far as the soldiers abroad are concerned. The provisions of the electoral law of Canada are sane. The provisions in this Bill for casting votes in the trenches are absolutely insane. How will a commanding officer, who is supposed to be a returning officer in the election, tell who is candidate in such and such a constituency, without being given notice by the Government? How will he be able to establish that there are two Government candidates, and no opposition candidate, and so on? And when the High Commissioner in London gets his information from the Dominion of Canada, he transfers it to the paymaster, and the paymaster has to transfer it to somebody else, to the captain of a brigade, or to a regimental officer of any kind, and that takes time, and then these men go into the trenches where they are fighting for us, for our country and the Empire. They pull the poor men away from the trigger of his gun, and say, "Who are you going to vote for?" The people of the country see the absurdity of it, but hon. gentlemen with as much commun sense as the ordinary citizens outside these walls tell the country that this Bill is not in favour of the soldier and that it is to his detriment. You have forty men in a trench, and a returning officer goes into a trench and wants them to vote. You have twenty Liberals and twenty Conservatives. You are going to have a vote among them right on the spot. They are fighting the common enemy, and then you invite them to come and fight political battles on behalf of Canada. There is going to be a squabble in that camp. Tories and Grits will be fighting among themselves. As the hon. gentleman from Toronto said, this is most vicious legislation It is a freak, a farce and a fraud.

Hon. Mr. LOUGHEED—I would point out to my hon. friend that the amendment proposed would be unworkable on account of its very complicated provisions, and if my hon. friend has any intention, as he apparently has, of attempting to improve this Bill, I think the amendment should not go any further than what was contained in the original Bill.

Hon. Mr. DAVIS—My hon. friend should not object to all the safeguards put around the votes of the soldiers at the front. The people should have some rights. This Bill reminds me of what Dooley said when Dooley and Hennessey were talking. Dooley said to Hennessey, "Well, what was all the trouble about?" and Hennessey said, "Oh, they want to vote over there—the Englishmen want to vote," and Dooley said, "Why don't they let them vote? I would give them a ballot, but I would do the counting myself." In this case they want to do the counting themselves.

The amendment was carried on a division, and the clause as amended was adopted.

On clause 4—Volunteers in Canada—issue of writ.

Hon. Mr. BOSTOCK—I propose another clause in order to carry out the idea which I tried to elaborate when I was speaking, that we should place this Bill in a position that it shall not go into effect until sanctioned by the British Government. I do not think I need elaborate this any more. I made it clear to the House this morning. The clause I propose to add reads as follows:

"No proceedings shall be taken or had under sections 2 to 4, inclusive, of this Act, until a declaration has been obtained from the Secretary of State for War in Great Britain that a full and fair vote of the said volunteers may be taken without prejudice to military discipline and without interference with the efficiency of military operations, and the same duly proclaimed in The Canada Gazette."

Hon. Mr. LOUGHEED—I might point out to my hon. friend that Canada could not accept any humiliating position such as that embodied in the amendment. Canada possesses an autonomy of a sovereign state as to its franchise, and to say that Canada must apply to the Secretary of War to put in operation an Act solemnly passed by the Canadian Parliament, and particularly relating to the franchise of Canada, would be so humiliating and so compromising of the dignity of Canada that I am astonished at my hon. friend proposing it.

Hon. Mr. BOSTOCK—I should like to point out that when these men agreed to serve their country, they placed themselves under military diseipline and military rules, and they are now under military authority and military discipline under direction of the British War Office.

Hon. Mr. LOUGHEED—They are acting in their military capacity, but they have not sacrificed their rights as citizens of Canada to exercise the franchise given them as citizens of this country.

Hon. Mr. POWER—I should like to ask in what other capacity are they now on the Continent.

Hon. Mr. LOUGHEED—As citizen soldiers of Canada.

Hon. Mr. BEIQUE—If Lord Kitchener were to overrule the exercise of this right, what position would we be in?

Hon. Mr. LOUGHEED—I would say that Lord Kitchener has a great deal more wisdom than to attempt to do anything of the kind.

Hon. Mr. DANDURAND—Then there should be no difficulty in testing the matter and ascertaining his opinion.

Hon. Mr. LOUGHEED—We are satisfied to take chances on that.

Hon. Mr. MITCHELL—I should like to ask the hon. leader of the Opposition what position would Lord Kitchener and Sir John French be in provided they refused to carry this out? I do not think we are striking at the root of the thing. This whole franchise is the most ridiculous thing that ever was enacted in any country.

Hon. Sir MACKENZIE BOWELL—It seems to me the whole policy adopted by the leader of the Opposition is a most disingenuous mode of killing the Bill and rendering it utterly unworkable. We have had denunciations of the Bill in very strong language. We have had one hon. gentleman declaring it an invention of the infernal regions, and comparing it with the declaration of Sherman when he said, "War is hell." We have had the hon. gentleman from Toronto exhausting all the dictionaries that ever were printed to find adjectives sufficiently strong to condemn the whole measure. It seems to me that a more straightforward method of killing the Bill would be to test the opinion of the Senate upon its merits by moving that it be rejected, or voting against it instead of mutilating it in such a manner as to render it utterly unworkable.

Hon. Mr. KERR—Might I ask the hon. gentleman what his honest conviction is regarding this Bill? Is it one that should pass or not? And if he thinks so, is he prepared to make a motion in that direction?

Hon. Sir MACKENZIE BOWELL—The hon. gentleman will find out what my view is when the vote is taken.

Hon. Mr. DANDURAND—But the hon. gentleman may only have occasion to vote on the amendment.

Hon. Sir MACKENZIE BOWELL—I recognize that.

Hon. Mr. DANDURAND—This is a branch where we are supposed to be independent and able to express freely our opinion upon the value of legislation which is brought before us. I would be very much interested to know if the hon. gentleman thinks that that part of the Bill which refers to taking the vote of the men abroad facing the enemy is one which commends itself to his own judgment.

Hon. Sir MACKENZIE BOWELL—I think the principle is all right. What troubles me is the working out of it. What still makes it more difficult for me to understand is the action of the hon. gentleman who has just spoken, and those by whom he is surrounded. They are trying to make it more impracticable than it really is.

Hon. Mr. DANDURAND—I do not believe the first part of this Bill is workable. I have not yet been convinced that the machinery provided for taking the vote of the one hundred thousand Canadians who are in the British army, under the direction of a British officer in a foreign land, will accomplish the object intended, and I do not think the vote can be properly taken, but at least an attempt can be made to surround the voting with the elements of safeguard.

Hon. Mr. CLORAN—Probably one of my last words will be those I am uttering now. I will sacrifice all my convictions and opinions if the Government of the day can obtain from Lord Kitchener, the general of the British army, his approval of this Bill, and that he will allow the soldiers under his command to be interfered with by petty politicians, party heelers and so on. If the Government can obtain his approval I have nothing more to say.

Hon. Mr. LOUGHEED—All right, we will try and get it.

Hon. Mr. CLORAN—Will the Government communicate with Lord Kitchener?

The motion was agreed to on a division, and the clause as amended was adopted.

On clause 11:

"This Act shall only remain in force during the present war."

Hon. Mr. BELCOURT—In what way will the war end? Will it be by a declaration of peace or a treaty?

Hon. Mr. LOUGHEED—When there is a declaration of peace, I would say the war would be at an end, and it can only possibly apply to one election. There is no probability of more than one election being held under the Bill.

Hon. Mr. BELCOURT—I was hoping that it might not apply to any election at all.

Hon. Mr. CLORAN—If the hon. leader would recall some of his historical knowledge he would recollect that wars have continued for seven years, and even thirty years.

Hon. Mr. CASGRAIN—And one hundred years.

Hon. Mr. CLORAN—Yes, this Bill shall be enforced while the war lasts. I contend that legislation of this kind should not be enacted, on account of its indefiniteness. It should be enforced for a stated time. Who is going to tell us whether the war will last one year or ten? If hon. gentlemen want my impression—and that will not make the war end any the sooner—my opinion is that it will last several years. We are only on the skirmish now. Wait until we drive the Germans back into their own country, and see how long the war will last when the allied forces are bound to fight the Germans on their own territory. It may last five, ten or twenty years.

Hon. Mr. LOUGHEED—Well, move an amendment, and fix a day.

Hon. M. POIRIER—Make it nineteen years.

Hon. Mr. CLORAN—I think the hon. gentleman from Ottawa has raised a point that ought to be taken into consideration. This legislation should not be passed in such an indefinite way.

The clause was adopted.

On sub-clause 5 of clause 4:

5. The returning officer shall notify the returning officer of each of such electoral districts that soldiers have claimed the right to vote in such district, and the returning officer so notified shall forthwith forward to the camp or base returning officer a certified copy of the voters' lists for his electoral district, if there be such lists in force, and as soon as can-

didates have been nominated send by telegraph the names of the candidates nominated to the returning officer for such camp or base.

Hon. Mr. DAVIS—Going back to subclause 5 of clause 4. What is he sending a list for?

Hon. Mr. LOUGHEED—This clause refers to volunteers in Canada.

Hon. Mr. DAVIS—But why is he sending a list? If a soldier claims a right to vote, and the list comes down and his name is not on the list, will his statement that he has a right to vote be accepted or will the list govern?

Hon. Mr. CASGRAIN—His statement is accepted under oath.

Hon. Mr. DAVIS—What is the use of sending a list if his statement is to be used. It seems to me foolish.

Hon. Mr. CLORAN—Everything is foolish in the Bill.

The CHAIRMAN—Should Schedule B form part of the Bill?

Hon. Mr. WATSON—Pardon me for asking another question, which is going back, but in subclause 8 of clause 4 on page 6 "the Government or the Opposition" is referred to there with regard to the appointment of agents. Now, who is to name the agents in behalf of the Government or Opposition under this Act?

Hon. Mr. DAVIS—There is no authority given to any person.

Hon. Mr. LOUGHEED—That is done the same as under the Dominion Elections Act. The Opposition is well defined.

Hon. Mr. KERR—Who is to speak for them?

Hon. Mr. WATSON—Who is to speak for them? That is what I was trying to find out. Those agents are in addition to the agents named by the candidate. The Dominion Elections Act provides for the agent named by the candidate, but when it comes to an election who is to appoint the agent?

Hon. Mr. CASGRAIN—The two leaders.

Hon. Mr. WATSON—It does not say it.

Hon. Mr. LOUGHEED—I presume that would be by the candidates.

Hon. Mr. CLORAN—But your presumption is not law.

Hon. Mr. DANDURAND—No, I do not think so; it is independent; it is in addition to the candidates.

Hon. Mr. LOUGHEED—Agents may be appointed on behalf of either the Government or the Opposition.

Hon. Mr. DAVIS—And what about the Independent?

Hon. Mr. LOUGHEED—It simply means that candidates will have a right to appoint their agents; that is all it means.

Hon. Mr. KERR—Does the Government pass an Order in Council? Or when it says the Opposition, does it mean that the Opposition would elect one? Or does it mean that the leader of the Opposition will appoint? Those are both well-defined persons.

Hon. Mr. DANDURAND—If the hon. gentleman will read sub-clause 8 he will find

8. In addition to agents who may be appointed in accordance with the Dominion Elections Act to represent candidates at the poll, agents may be appointed on behalf of either the Government or the Opposition.

Well, if the hon. gentleman reads through this clause he will find that there is no one who is given authority to appoint on behalf of the Government.

Hon. Mr. WATSON—Or the Opposition.

Hon. Mr. DANDURAND—Or the Opposition, and the case of the Opposition is still more vague than the Government, because the Government can by resolution appoint somebody.

Hon. Mr. LOUGHEED—I apprehend from the subsequent language of the clause that these agents are entirely apart from the agents who may be appointed under the Dominion Election Act, that the candidates may appoint agents.

And such agents shall have all the powers of agents of candidates under the said Act, and be entitled to exercise the said powers on behalf of all candidates in all electoral districts for the party by which such agents have been named.

It is the party that appoints them.

Hon. Mr. WATSON—Who is the party?

Hon. Mr. LOUGHEED—They need not be specifically held down to the provisions in the Dominion Elections Act; a party would be represented by the candidate, and the candidate will apoint the agent.

Hon. Mr. WATSON—But in addition to agents to be appointed under the Dominion Elections Act, that is the candidate's agents.

Hon. Mr. BELCOURT—When he has appointed an agent he is done.

Hon. Mr. WATSON—Then you provide for other appointments by the Government or Opposition. Who is to name them? What authority? Who is the Opposition? I can understand the situation that a person comes along and says they are the Opposition; but a fellow says, "The Opposition's scrutineer is here now;" that Opposition has failed, consequently he has no standing at all.

Hon. Mr. CASGRAIN—You will have no trouble with that.

Hon. Mr. DAVIS—I have a question that has not been answered yet.

Hon. Mr. LOUGHEED—If there is any doubt upon that point it has been suggested that it might read as follows:

May be appointed by either the Government or the Opposition as nominated by the Prime Minister or the leader of the Opposition respectively.

Hon. Mr. CASGRAIN—Correct.

Hon. Mr. DANDURAND—All right.

Hon. Mr. CHOQUETTE—I do not believe it would be fair to do that in this way. How would they appoint agents in British Columbia or elsewhere? How could you consult them? Why not put it by the Chief Justice of the province?

Hon. Mr. DANDURAND—No, the parties.

Hon. Mr. DAVIS—I have not had an answer to my question yet.

Hon. Mr. LOUGHEED—What is the question, again?

Hon. Mr. DAVIS—I wish the leader of the House would read subclause 5 of clause 4, and tell me what is the sense of sending voters' lists from the inside constituencies to your returning officer at the camp unless you are going to use the voters' lists? If you are not going to accept them as final, what is the use of sending them?

Hon. Mr. LOUGHEED—For the purpose of information.

Hon. Mr. DAVIS—If you are going to accept the statement of the soldier at the camp that he has a right to vote at a certain place, and accept that as absolutely final, what is the use of voters' lists?

Hon. Sir MACKENZIE BOWELL—He has to swear to it.

Hon. Mr. BOYER.

Schedules B and C were adopted.

The CHAIRMAN—Subsection 8 of section 4 is amended as follows: After the word "Opposition" in the 17th line, page 6, insert "Authorized by the Prime Minister and leader of the Opposition respectively in the House of Commons."

The amendment was agreed to, and the clause as amended was adopted.

Hon. Mr. DAVIS—Is there not some way by which my hon. friend might amend this subclause 5 of clause 4?

Hon. Mr. LOUGHEED—I may say this for the instruction of the polling officer so that he may classify the votes for the various districts and so on. It is simply for information.

Hon. Mr. DAVIS—By this extended franchise you are going to let people who are not on the list vote if they want to.

Hon. Mr. LOUGHEED—If they are on active service and come within clause 1 of the Bill.

Hon. Mr. DAVIS—But they are not voters unless they are on the list?

Hon. Mr. LOUGHEED—No.

Hon. Mr. DAVIS—Then how can they claim to be voters if they are not on the list of voters? You are opening the door to all kinds of jobbery and sculduggery; that is what it is and nothing else. You can vote them by the bagful. You are leaving the door open; they can vote them by the wagonload. I can see the fine Italian hand in that. Again, like Dooley, they want to do the counting. I have no objection to any soldier voting, and I think he has a perfect right to vote in the constituency to which he belongs if he is on the list; but simply by somebody coming up and saying, "I belong to the constituency of Nipissing," or something else, without any proof, but just on his own statement, and contrary to the list in that constituency, you are opening the door to all kinds of jobbery and all kinds of crookedness.

Hon. Mr. BEIQUE—It is perfectly obvious that the clause as it stands is quite absurd. The point is very well taken. You could open this clause for 30,000 men—

Hon. Mr. LOUGHEED—Certainly, but we fix the franchise or the qualification under clause 1 of the Bill, and this other is simply for the information of the returning officer.

Hon. Mr. BEIQUE—But the franchise rests on their being part of the militia.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BEIQUE—And then they can vote; 5,000 men go and vote in one electoral district.

Hon. Mr. LOUGHEED—No.

Hon. Mr. BEIQUE—Where is it defined?

Hon. Mr. LOUGHEED—It is qualified by clause 1. If you will read clause 1 you will see.

Hon. Mr. DAVIS—If the voters' list has no control what is it for?

Hon. Mr. LOUGHEED—For the information of the returning officer.

Hon. Mr. DAVIS—The voters' list is to give the authority to those entitled to vote in a certain constituency. If people are on that list and come into the camp they can vote, the list will say so; but you make provision for the list to be sent to the returning officer, and he is not obliged to use it. Anybody can vote by going out and making a statement that he belongs to this place or that place. In close constituencies you can shove in enough to turn the scale. This thing is quite obvious. The name of this Bill should be changed to read, "A Bill for the purpose of returning the Tory party." That is exactly what it is for.

Hon. Mr. TAYLOR, from the committee, reported the Bill with certain amendments.

The amendments were concurred in on a division.

Hon. Mr. CHOQUETTE—I would ask the hon. leader of the House if he intends to move the third reading now?

Hon. Mr. LOUGHEED—Yes, my intention is to move the third reading, with a view of having the amendments go down to the House of Commons, so that that House may consider them. Hon. gentlemen will appreciate the fact that it may take some little time to consider those amendments in the House of Commons, as prorogation is fixed for 4 o'clock.

Hon. Mr. CLORAN—Have the Bill reprinted and then we can all understand it.

Hon. Mr. LOUGHEED moved the third reading of the Bill.

Hon. Mr. EDWARDS—I have not taken up one moment's time of this House during the procedure that has taken place thus far, and I only desire to say a few words. Like my hon. friend from De Salaberry, while I believe it is perfectly within the competence of this House to deal with all Bills which come before it, I must at the same time frankly say that I have great misgivings as to dealing with a Bill which has to do entirely with the franchise of the House of Commons.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—That has been my misgiving throughout. As to the nature of the Bill, I think it is unfortunate. It is unhappy, and regrettable that such a Bill should be introduced. However, I am one of those who frankly must say that I think this House should be very careful in dealing with it. The Bill is one which has opened up a very great deal of political controversy. Some have dealt with it in a judicial manner and some have dealt with it politically. Taking the last century of our history Canada has certainly passed through many crucial stages when it was necessary for both parties on certain occasions to come together and avoid party conflict, because of grave questions which had to be dealt with. But Canada, looking to the future, has before it by far the most crucial period of its history. For many years past Canada over-developed beyond her resources, borrowed too largely abroad and went far too fast; a check necessarily had to come. That check came just when this unfortunate and unhappy war forced itself upon us. That we have to see it through there is no question, but the responsibilities which will devolve upon Canada after it is through will be very great. What I desire to say is that this is a time to deal with questions in a patriotic way in the interest of Canada, and this is the time when politics should absolutely disappear.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—If there ever was a time in the history of Canada when strong men, able men and business men should be at the head of affairs of Canada it is now. Perhaps my hon. friends believe that a change of parties would have that effect. No, hon. gentlemen, just so long as men in Parliament play the political game we cannot have the most desirable conditions. It is a time when the Premier should call in the strongest men in Canada to form an Administration. I am not for a moment criticising the present Government, but I simply say this, that no political body, Lib-

eral or Conservative, can govern Canada to-day in its best interests.

We have largely over-built railways, very much to the detriment of Canada; and if there is one thing above others which might be done it is this: the Administration should appoint to-day a commission, and a very strong commission, to inquire into that matter and determine as to our railway requirements, and make an inquiry as to how much railway that is already built can be dispensed with in the best interest of Canada. My hon. friend (Hon. Mr. Choquette) says "Oh," but he is not competent to express a view upon that question.

Hon. Mr. CHOQUETTE—I beg your pardon; I just said that this question has nothing to do with the Bill before the House. I do not think it is the proper time to discuss railway questions now; and as to being competent, I admit the hon. gentleman is perhaps more competent than I am, but I know something on that subject too.

Hon. Mr. EDWARDS—The remarks which I am making are pertinent to the question.

Hon. Mr. WATSON—Military railways.

Hon. Mr. EDWARDS—Not military railways, but it is pertinent to the question as to the position in which Canada finds itself to-day. Now I do not want to detain the House longer. I just wish to give expression to this opinion; let us to-day join as patriots, not as politicians or as party men, but join in doing that which will result in the best interest of Canada in the future. Canada has a problem to work out such as no country involved in this war has, not even Belgium. Canada has a far more difficult question before her to-day than has any other country involved in the war.

Hon. Mr. CLORAN—What about the soldiers' vote?

Hon. Mr. EDWARDS—I am not discussing that.

Hon. Mr. CLORAN—That is what you ought to discuss.

Hon. Mr. EDWARDS—I am discussing the question which has been involved in this debate and on which I desire to express an opinion.

The SPEAKER—Is it your pleasure to adopt this motion for the third reading?

Hon. Mr. CHOQUETTE—It is just as well to settle that question now. Those who are in favour of the Bill will vote for it, and those against it will vote against it. Especially after the speech of my hon friend, I have decided to move the six months' hoist. It is not a question of being patriotic at the present moment. I am as willing to be patriotic here and elsewhere as my hon. friend, but I do not consider it patriotic to vote for an absurd measure. I do not intend to stand in this House and pass this measure as a patriot because the Bill before us is impracticable. I wish to put the question plainly. I move, seconded by the hon. member for Prince Albert (Hon. Mr. Davis) that this Bill be not now read the third time, but that it be read the third time this day six months.

Hon. Mr. CLORAN—No, after the war.

On the motion being put:

Hon. Mr. BELCOURT—I had hoped that my hon. friend from Grandeville would not make the motion he has made; it is ill-advised and I personally am very much opposed to it, not that I have any love at all for the Bill which we are asked to pass. To call it by a mild name, it is the most extraordinary piece of legislation ever enacted by this Parliament or by any British Parliament anywhere in the world.

Hon. Mr. CLORAN—Why not reject it?

Hon. Mr. BELCOURT—I think we are all agreed as to the principle of the Bill, that every citizen whether a soldier or not, should have a vote and exercise the franchise if it can be done properly; but that the Bill is unworkable, and is going to open the door to a lot of fraud, there is no doubt. This Bill, being concerned more particularly with the House of Commons than ourselves, I think we ought to pass it.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. BELCOURT—I hope it will not bring upon us too severe a censure from the Imperial Parliament. At the time when Canada is seeking to be taken into the counsels of the Mother Country in matters of war, matters of peace, and matters of Imperial policy; at a time when we are trying to have a word to say and expect to say something when the time of peace-making comes, I doubt very much if our action in passing this Bill is going to help that along and is going in any way to give the Imperial Parliament and the people on the other side the idea that we have got to the stage of maturity, to the stage of reasoning when we ought to be allowed to have a word in

the foreign counsels of Great Britain. I have nothing more to say except to express the hope that the soldiers who are doing great service for Canada are going to use the weapon which we are putting in their hands with a great deal more caution, sagacity, consideration and deliberation than we have been giving to the passing of this legislation.

Hon. Mr. CLORAN—If any argument has been advanced to-day to reject this Bill the hon. gentleman has given it; and why in the face of his argument that the Bill is perfectly absurd and unseless and against the British position, he is still going to vote for it, passes my comprehension; but my comprehension will make me vote against the Bill.

The SPEAKER—The question is now on the amendment.

Hon. Mr. DAVIS—I want to speak to the amendment as seconder. Let me say, to start with, that I think it is an outrage on the part of the Government to try to railroad legislation like this through the House in the dying hours of Parliament, to choke off discussion of it. Every year we find the same thing; the most important Bills are kept to the last part of the session and railroaded through the House. Now we are told that Parliament is to be prorogued at 4 o'clock, without consulting us; we have nothing to say in the matter, I suppose. As far as I am concerned, I am going to exercise my right to discuss this Bill if I want to, and at such length as I please.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. DAVIS—I quite agree that, as far as the vote taken on this Bill is concerned every hon. gentleman has a right to express his own opinion and vote accordingly. If my neighbour votes for the measure, I have nothing to say against him, but I have gone into this thoroughly and with what intelligence I possess, and I think the Bill is the most ridiculous proposition I ever heard of. I cannot conceive of the Government bringing in this measure for any other purpose than to try to make some cheap, very cheap political capital out of it. My hon. friend knows, and every hon. gentleman in this House knows, that when one of our men steps on British soil he becomes a British soldier under the control of the British War Office, and we have nothing more to say about his actions. They have the right to say whether he shall go here or there or what he shall do; yet here we are legislating that he shall do something without consulting the people in charge at the present time. The thing appears to me to be ridiculous. We pass legislation here to do something outside of this country.

Hon. Mr. CASGRAIN—We have amended it.

Hon. Mr. DAVIS—Yes, but it was not right in the first place. You pass legislation to take affidavits in Flanders, but you have no authority to take affidavits in Flanders or Germany or France or any other foreign land. To my mind the whole thing is ridiculous. Just imagine your pack of heelers, as we will call them, with the ballot boxes on their back where the shells are bursting, trying to get votes.

Hon. Mr. WATSON—They will not be there.

Hon. Mr. DAVIS—No, they will not be there. I may repeat what Dooley said, You want to give them the vote and count them yourselves. The thing is absolutely ridiculous. I am sorry that my hon. friend has moved the six months' hoist. It would have been better if he had moved to eliminate clauses 2 and 3 and the schedules working in with those clauses, that would provide cutting out the vote with reference to our own country and giving the men here the right to vote at home. However, by giving it the six months' hoist I do not suppose you will interfere with the vote of men here, because they can go home and vote where they belong. At the same time, it would probably be better if we had left the Canadian part in; but as my hon. friend has moved the six months' hoist, and a strong disease calls for strong medicine, I shall vote for it. I do not think the Government can be sincere in bringing this measure down. It is the laughing-stock of the country. The traditional policy of Great Britain has been not to introduce party politics in the Army or the Navy. Do you think you are going to introduce absurd politics into the army in Europe and have one part voting and the other part not voting? It is ridiculous, and I shall vote for the six months' hoist.

The amendment was declared lost on the following division:

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Hon. Mr. LAVERGNE—I move that this Bill be not now read, as it is not printed in French.

Some hon. GENTLEMEN—Too late.

Hon. Mr. LAVERGNE—I do not care for any of the gentlemen here; I am my own boss; I do not recognize any boss. I am a senator, and I speak in my own name. I oppose this reading because it is an outrage on the French language. I know this Government is not willing to give justice to the French people. I have observed it on many occasions. I have asked many a time to get French documents, but could not get them. Now it is not because this Bill is not right otherwise, but because it is not printed in French, and the Government has no right to pass this Bill unless it is printed and distributed to the membrs in French. That is a constitutional right.

Some hon. GENTLEMEN—Hear, hear.

The SPEAKER—I believe that the point is taken too late.

Some hon. GENTLEMEN—No, no.

The SPEAKER—The question is on the third reading.

Hon. Mr. CLORAN—Oh, no. Hon gentlemen, the Speaker has—

Hon. Mr. POWER—There cannot be any debate when the vote is being taken

Hon. Mr. CLORAN—But the hon. senator has just declared, in answer to the member from Arthabaska, that his motion not to proceed further with the Bill should be adopted on the ground that the Bill is not in French; that is his constitutional priyilege.

The SPEAKER—I ruled that this motion was out of order. Now you have a right to appeal from my decision.

Hon. Mr. CLORAN—That is what I want to do, if I can get a seconder.

Hon. Mr. LAVERGNE—I will second it.

Hon. Mr. CLORAN—Then I appeal from the decision of the Chair

Hon. Mr. CHOQUETTE—Too late.

Hon. Mr. CLORAN—It is not too late, not before the legislation is passed.

Hon. Mr. CHOQUETTE—We can protest.

Hon. Mr. CLORAN—A protest does not count for anything I appeal from the decision of the Chair, seconded by hon. Senator Lavergne, in the interests of bilingualism.

The SPEAKER—The question is on the decision of the Speaker; shall the decision of the Speaker be sustained?

Some hon. GENTLEMAN—Carried.

The SPEAKER—The decision of the Speaker is sustained.

The Bill was then read the third time as amended, and adopted on a division.

The Senate adjourned until three o'clock this afternoon.

Second Sitting.

The SPEAKER (Hon. Mr. Landry) took the Chair at 5.30 o'clock.

Routine proceedings.

THE ABSENCE OF SPEAKER LANDRY.

The SPEAKER—In resuming my seat, I would like to give only one word of explanation for my recent absence.

I shall not refer to the past only to say that, though I attach very little importance to the fact that my last two decisions have been reversed, I confess that I felt deeply the defection of Conservative friends which has been manifested by the hostile vote of some of them by, the abstention of some others. That reason alone prompted me to decline to preside over a House which failed to give me the expected support.

Now that all contentious matters have been settled, without any participation of mine, I feel it my duty to take part in the closing of Parliament, and to be at my post at this last call of the Crown.

I do so all the more willingly because I have received the best assurances that my last decisions were strictly in conformity with the law, and that action will be taken which will ensure the full recognition of my rights as Speaker of this House.

Hon. Mr. CLORAN—Is there any comment to be made on that statement?

Some hon. GENTLEMEN—Order! order! order! The Chair is present.

Hon. Mr. CLORAN—It is the first time it has been here for three days.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—I understand this matter just as well as hon. gentlemen. I am asking the Chair if comment can be made.

The SPEAKER—No, there is nothing before the Chair.

Hon. Mr. CLORAN—No, only the person in the Chair. I am glad to see him there.

VOTES FOR SOLDIERS BILL.

AMENDMENTS CONSIDERED.

A message was received from the House of Commons informing Their Honours that they had considered the amendment made by the Senate to Bill (111) entitled an Act to enable the soldiers on active military service during the present war to exercise their electoral franchise. The message was read to the House as follows:

House of Commons,
Thursday, 15th April, 1915.

Resolved, That a Message be sent to the Senate to inform their Honours that this House doth not concur in the amendments made by their Honours to Bill No. 111, "An Act to enable Canadian Soldiers on Active Military Service during the present war to exercise their electoral franchise," and that this House doth propose in lieu thereof that the said Bill be amended by adding to Subsection 2 of Section 2 the following:—

"There shall be appointed by the Governor in Council six scrutineers, three to be so appointed upon the nomination of the Prime Minister and three upon the nomination of the Leader of the Opposition, such appointments to be made within ten days of such nominations respectively. One of each nomination may be present at the distribution of ballot papers and envelopes, the making of affidavits, the marking of ballots, the closing of envelopes and the posting of the same, and may exercise all the rights which may, under The Dominion Elections Act, be exercised by candidates or their representatives at any poll. The actual travelling and living expenses of such scrutineers at a rate to be fixed by the Governor in Council, may be paid out of the Consolidated Revenue Fund, and they shall be afforded facilities for the performance of their duties. The said scrutineers may name such number of deputies as they may deem necessary and said deputies shall have and be entitled to exercise the powers herein above conferred on said scrutineers.

That in Subsection 2 of Section 2 the following words be inserted after the word "votes" in line 10 of the second page, "and shall give in addition to the general notice a special notice to any person whose appointment as a deputy scrutineer under the provisions hereinafter made have been notified to him and shall permit any scrutineer or deputy scrutineer so named to be present at said proceedings in the absence of any such scrutineer or deputy scrutineer on behalf of either party."

And by adding immediately after Section 3, the following:—

"(3a) Sections 2 and 3 of this Act shall not come into force until a proclamation by His Majesty in Council declaring them to be in force shall be published in The Canada Gazette."

Ordered, That the Clerk do carry the said Message to the Senate.

Attest.

THOS. B. FLINT,
Clerk of the Commons.

Hon. Mr. LOUGHEED—I move that the Senate does not insist on its amendment, but that it concur in the amendments made by the House of Commons as read by the Clerk.

The motion was agreed to on a division.

Hon. Mr. LOUGHEED—I move that a message be sent to the House of Commons informing that House that the Senate does not insist on its amendment but that it concur in the amendments made by the House of Commons.

Hon. Mr. DANDURAND—Before this motion is adopted I should like to add a few words to the debate which has taken place on this Bill and on other Bills which have been passed and amended by this Chamber. I have heard through the press that complaints have been made that the majority of the Senate, or the Senate itself, had shown considerable partisanship in their dealing with public Bills during the present session. I should like to draw the attention of the parties who have expressed that opinion to the fact that the majority in this Chamber has oftener during the late Administration than under the present Administration amended public Bills that came from the other House. We did so with considerable independence. The Senate has been reproached because the branch lines Bills which the Government sought to buy by Order in Council and without sanction of Parliament, was so amended by the Senate that it had to be rejected by the House of Commons. I want to affirm that in 1910, when there was a very large majority in the Senate in sympathy with the then Administration, a similar Bill came before this Chamber for the leasing of two branches that tapped the Intercolonial Railway, or connected with the Intercolonial Railway in some way. This Chamber not only added a clause to that Bill to provide that those railways should not be bought without the sanction of Parliament, but added that the Railway

Commission, which was then in control of the Intercolonial railway, should make a report to Parliament upon the value of this railway, in order that when these leases—which would be tantamount to a purchase, inasmuch as they were 99-year leases—came before Parliament we could judge, with a full knowledge of the facts, of the value of the transaction. Well, two years afterwards, under the present Administration, Parliament was asked to supplement that Act and authorize the purchase of those branches outright. Instead of surrounding that Bill with all the safeguards with which we had surrounded the Bill of 1910, we simply added that no such branch lines should be bought without the sanction of Parliament being given to it. Now, this was rejected by the lower House. I am convinced that the Senate was then protecting the interests of Canada. During this session the same Bill was brought before us. It contained a special clause which stated that no money would be paid upon the purchase of those lines without the sanction of Parliament. That was going in the direction, to a certain extent, of the amendment which the Senate had made the year before, and which had been turned down by the House of Commons; yet I am sure the Senate could have gone further and stated that the contracts should be submitted to Parliament for its sanction, yet we allowed the Bill to pass. It is perhaps too late to make a review of the divers amendments which the Senate judged proper to make to public Bills, but whenever the majority of this Chamber passes from the left to the right, I hope that our friends on the opposite side will show as great a measure of independence as we showed towards the preceding Administration that had appointed a majority of the members in this Chamber. Now we are just passing a Bill which we have amended. The Commons refuse to accept our amendments and ask us to take substitute amendments. When they are examined closely they practically tend to the same end, but I think when our work is examined it will be found by the country at large that the Senate have done nothing but their duty in suggesting those amendments. We here are a branch of Parliament having equal powers with the House of Commons, and I should be very sorry for the usefulness of this Chamber if we did not exercise the sovereign independence of our minds and consciences in discharging the duties that have been confided to us.

Hon. Mr. DANDURAND.

Hon. Mr. CLORAN—Following in the line just laid down by the hon. Senator Delorimier, I wish to answer a charge of the Prime Minister of this country that the Senate is a partisan body willing to do the bidding of a certain man called the leader of the Opposition. Here, on behalf of myself, and I think on behalf of quite a number of other senators, I deny that charge and throw it back at him. I am fully justified in doing and saying so by the acts and words of the senators who have taken part in the debate on this Bill. What do we find? We find the brightest intellects, experienced men—not young men like myself, but old men—denouncing this Government measure as infamous, vicious, impracticable, absurd, and so on. After denouncing the Bill, they show their independence by voting for it. Now, what has the Prime Minister so say of that? Here are senators in this House who tell the Prime Minister and his Government that his Bill is infamous, impracticable, vicious, absurd, and an outrage on the soldiery of Canada; and yet they turn round and vote for it. Is that not an illustration of their independence? And the Government carried its Bill by six so-called independents. That is the position, so far as this Bill is concerned, and so far as the charge of the Prime Minister against the Senate is concerned. These are plain facts. They are awful to state, but they are more than awful to admit and to have to swallow. I hold that on this Bill the majority are accepting the rejection of our amendments by the House of Commons, and substituting some paltry amendments. Is that not independence? Is that not giving the Government fair play; and the Government intended to have a mailed glove to hold over the electorate of the Dominion of Canada. That is what they intended through this Bill—nothing else, a mailed glove; votes that could be counted for them and against the Liberal party of the Dominion of Canada. The people believe that the soldiers in the trenches should not vote, that the Bill is a disgrace to Canada, and will not be sanctioned if Lord Kitchener holds to his saying—"I am a soldier; no politics in the trenches, no politics for me in the War Office."

The Senate of Canada shows its independence by swallowing such a Bill as that. What has the Prime Minister to say against it? Is that not enough for me? Hon. gentlemen, I tell you that when the country and the people of Canada come to analyse that Bill, and understand it, as

the soldiers of to-day understand it, instead of the ballots being thrown to the Government the muskets will be turned against them; and I hold that the charge made against this House of want of independence and of awful partisanship is not well based.

The motion was agreed to.

SUPERANNUATION OF CIVIL SERVANTS.

Hon. Mr. LOUGHEED—There is a small matter which I desire to bring to the attention of the Senate. In the report of the Internal Economy Committee superannuating certain of the staff, provision was not made as to the date when the superannuation should go into operation, and the consequence is that those servants will be deprived of their superannuation, or of their salaries. I therefore move that the superannuation of Jos. Larose, doorkeeper, and A. F. Rolph, curator of the reading room, do commence on the 1st of June next.

The motion was agreed to.

The Senate adjourned during pleasure.

THE PROROGATION.

After some time the Senate was resumed.

His Royal Highness the Governor General having come and being seated on the Throne.

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that,—

"It is His Royal Highness the Governor General's pleasure that they attend him immediately in the Senate."

Who being come with their Speaker.

Then the Honourable the Speaker of the House of Commons addressed His Royal Highness the Governor General, as follows:—

May it please Your Royal Highness:

The Commons of Canada have voted the Supplies required to enable the Government to defray the expenses of the Public Service.

In the name of the Commons, I present to Your Royal Highness the following Bill:—

"An Act for granting to His Majesty certain sums of money for the Public Service of the financial years ending respectively the 31st March, 1915, and the 31st March, 1916," to these Bills I humbly request Your Royal Highness' assent.

Also An Act for granting to His Majesty aid for Military and Naval Defence.

Then, after the Clerk of the Crown in Chancery had read the title of these Bills,

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In His Majesty's name, His Royal Highness the Governor General thanks His Royal Subjects, accepts their benevolence, and assents to these Bills."

The Clerk of the Crown in Chancery read the Titles of the Bills to be passed as follow:—

An Act respecting a patent of John Millen and Son, Limited.

An Act respecting Seed Grain, Fodder and other relief.

An Act to amend the Yukon Placer Mining Act.

An Act to amend the Gold and Silver Marking Act 1913.

An Act for the relief of Edith Marguerita Lyons.

An Act to amend the Inland Revenue Act.

An Act to amend the Government Railways Act and to authorize the purchase of certain railways.

An Act to amend the Criminal Code.

An Act for the relief of Cecil Howard Lambert.

An Act to amend the Representation Act, 1914.

An Act to amend the Adulteration Act.

An Act to amend the Winding-Up Act.

An Act to amend the National Transcontinental Railway Act.

An Act to amend the Dominion Elections Act.

An Act to amend the Dominion Controverted Elections Act.

An Act to amend the Canada Grain Act.

An Act to enable Canadians on Active Military Service during the present war to exercise their electoral franchise.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In His Majesty's name, His Royal Highness the Governor General, doth assent to these Bills."

After which His Royal Highness the Governor General was pleased to close the Fifth Session of the Twelfth Parliament of the Dominion of Canada, with the following Speech:—

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

In relieving you for the present from your arduous duties I desire to thank you for the diligence and zeal with which you have discharged them, and especially for the timely and effective measures which you have taken for necessary co-operation with the United Kingdom and the other Dominions of His Majesty in the tremendous war which has been forced upon our Empire. It is my earnest prayer and my firm hope that the aid thus promptly and generously given will contribute, in no small measure, to that complete and unmistakeable success of the allied arms which alone can bring an honourable and lasting peace.

As this great struggle proceeds there is no abatement in the intense earnestness and determination of the Canadian people to unite their efforts with those of all the British dominions for the maintenance of our Empire's integrity and for the preservation of its institutions and liberties. From Atlantic to Pacific the splendid response to the call for men has fully equalled all anticipations.

In common with all the people of this Dominion, I have been proud to learn that the Canadian soldiers have shown conspicuous bravery and efficicncy in the field of battle, and that they have borne themselves worthily when fighting side by side with the best troops of the Empire.

Gentlemen of the House of Commons:

In His Majesty's name, I thank you for the liberal provision you have made for carrying on the affairs of the country and for meeting the necessities of the war under the trying conditions which it has brought about.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I bid you now farewell, in the earnest hope that the terrible conflict in which the Empire is engaged may be brought to a speedy and favourable conclusion, and in the firm belief that our country under the blessing of Divine Providence, will then resume unchecked that career of marked progress and abundant prosperity which it is destined to enjoy.

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PART I—SENATORS

The following abbreviations are used : 1st R., 2nd R., 3rd R., 1st, 2nd and 3rd Readings; without remark or debate; Accts., Accounts; Adjn., Adjourn; Adjd., Adjourned; Amt., Amendment; Amts., Amendments; B., Bill; B.C., British Columbia; Can., Canada or Canadian; Com., Committee; Co., Company; Consdn., Consideration; Cor., Correspondence; Dept., Department; Govt., Government; His Ex., His Excellency the Governor General; H. of C., House of Commons; Incorp., Incorporation; Inq., Inquiry; Man., Manitoba; Mess., Message; M., Motion; *m.*, moved; N.B., New Brunswick; N.W.T., North-west Territories; N.S., Nova Scotia; Ont., Ontario; Parlt., Parliament; P.E.I., Prince Edward Island; P.O., Post Office; Ques., Question; R.A., Royal Assent; Rem., Remarks; Rep., Reported; Ret., Returned; Ry., Railway; Sel., Select; 6 m. h., Six Months' Hoist; Withdn., Withdrawn.

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(64) An Act respecting a certain patent of The Mills Equipment Company Limited.

65) An Act respecting The Toronto, Hamilton and Buffalo Railway Company. Hon. Mr. Taylor, 109; 2nd R., 130; 3rd R., 184.

(66) An Act to Amend the Railway Act.

(67) An Act to amend the Yukon Placer Mining Act. Hon. Mr. Belcourt, in Com., rem., 174; Hon. Mr. Lougheed, int., 145; 2nd R., 170; in Com., rem., 173; 3rd R., 190.

68) An Act to ratify and confirm a certain agreement made between The Canadian Pacific Railway Company and The Canadian Northern Ontario Railway Company respecting terminals at North Toronto.

(69) An Act to incorporate Colonial Bank (Canada). Hon. Mr. Casgrain, int., 142; 2nd R., 145; 3rd R., 153.

(70) An Act to incorporate The General Trust Company of Canada. Hon. Mr. Talbot, int., 142; 2nd R., 145; 3rd R., 153.

(71) An Act respecting The Sterling Life Assurance Company of Canada. Hon. Mr. Edwards, int., 170; 2nd R., 170; 3rd R., 195.

(74) An Act to amend the Criminal Code. Hon. Mr. Béique, in Com. rem., 267, 268, 272, 285, 299-300; Hon. Mr. Belcourt, in Com., rem., 266, 267, 268, 284, 285-286; Hon. Mr. Bostock, rem., 211; in Com., rem., 298; rem., 324-325; Hon. Mr. Davis, in Com., rem., 287-288, 289; rem., 323; Hon. Mr. Dandurand, rem., 211; in Com., rem., 271-272, 299; Hon. Mr. Choquette, in Com., rem., 282, 283; Hon. Mr. Cloran, in Com., rem., 273, 283, 286-287; rem., 323; Hon. Mr. Lougheed, int., 170; 2nd R., 210-211; in Com., rem., 266, 267, 270, 271, 281, 282, 283, 297, 298; 3rd R., 322; rem., 323, 324; Hon. Mr. Poirier, in Com., rem., 301; Hon. Mr. Power, in Com., rem., 283; rem., 324; Hon. Mr. Roche, in Com., rem., 284-285; Hon. Mr. Watson, rem., 323.

(75) An Act to amend The Customs Tariff, 1907. Hon. Mr. Bostock, rem., 195-199; Hon. Sir Mackenzie Bowell, rem., 237-238; Hon. Mr. Cloran, rem., 204-205; Hon. Mr. Dandurand, rem., 236-237; Hon. Mr. Davis, rem., 200-204; in Com., rem., 231; Hon. Mr. Domville, in Com., rem., 230-231; Hon. Mr. Edwards, rem., 199-200; Hon. Mr. Lougheed, int., 182; 2nd R., 195; rem., 205-210, 229, 232; 3rd R., 234; Hon. Mr. Power, rem., 195; 234-236, 238; Hon. Mr. Watson, in Com., rem., 229-230.

(76) An Act to supplement The Revenue required to meet War Expenditures. Hon. Mr. Bostock, in Com., rem., 241-242; Hon. Mr. Lougheed, int., 210; 2nd R., 232; in Com., rem., 241; 3rd R., 275.

(77) An Act to amend The Senate and House of Commons Act.

(78) An Act to amend The Bank Act. Hon. Mr. Bostock, rem., 175; Hon. Mr. Cloran, rem., 191, 193-194; Hon. Mr. Gordon, rem., 192; Hon. Mr. Lougheed, int., 170; 2nd R., 174; 3rd R., 195; rem., 192; Hon. Mr.

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(79) An Act to authorize certain extensions of time to Insurance Companies. Hon. Mr. Belcourt, in Com., rem., 265; Hon. Mr. Lougheed, int., 183; 2nd R., 210; in Com., rem., 265, 266; 3rd R., 281.

(85) An Act respecting Seed Grain, Fodder and other relief. Hon. Mr. Bostock, rem., 239-240; Hon. Mr. Lougheed, int., 210; 2nd R., 238-239, 240, 241; in Com., rem., 275; 3rd R., 292.

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(93) An Act to amend The Judges Act. Hon. Mr. Lougheed, int., 210; 2nd R., 241; 3rd R., 275.

(94) An Act to amend the Dominion Elections Act.

(95) An Act respecting certain issues of Dominion Notes. Hon. Mr. Bostock, rem., 290-291; Hon. Mr. Lougheed, int., 280; 2nd R., 290; 3rd R., 290; rem., 291.

(105) An Act to amend the Government Railways Act and to authorize the purchase of certain railways. Hon. Mr. Bostock, rem., 302; in Com., rem., 326, 327, 328; Hon. Mr. Casgrain, rem., 331; Hon. Mr. Cloran, in Com., rem., 328; rem., 330-331, 334; Hon. Mr. Dandurand, rem., 303-305; Hon. Mr. Domville, rem., 305-307; in Com., rem., 329; rem., 331; Hon. Mr. Landry, rem., 309; Hon. Mr. Lougheed, int., 280; 2nd R., 301-302; in Com., rem., 326-327, rem., 330; 3rd R., 334; Hon. Mr. McSweeney, rem., 307; Hon. Mr. Murphy, rem., 307-308; Hon. Mr. Power, rem., 308-309; in Com., rem., 328-329.

(106) An Act to amend The Representation Act, 1914. Hon. Mr. Lougheed, int., 334; 2nd R., 358; 3rd R., 386.

(109) An Act to amend The Dominion Controverted Elections Act. Hon. Mr. Bostock, rem., 412; Hon. Mr. Davis, in Com., rem., 418-419; Hon. Mr. Lougheed int., 398; 2nd R., 411-412; in Com., rem., 420; 3rd R., 422; Hon. Mr. Ross (Middleton): in Com., rem., 419, 420.

(110) An Act to amend the Dominion Elections Act. Hon. Mr. Bostock, rem., 411; Hon. Mr. Cloran, in Com., rem., 417; Hon. Mr. Lougheed, rem., 410-411; in Com., rem., 417-418; 3rd R., 422.

(111) An Act to enable Canadian Soldiers on Active Military Service during the present war, to exercise their electoral franchise. Hon. Mr. Beique., rem., 463-465. Hon. Mr. Belcourt, in Com., rem., 472-473. Hon. Mr. Bostock, rem., 446, 455-456; in Com., rem., 465, 467. Hon. Mr. Choquette, rem., 447-450, 454. Hon. Mr. Cloran, rem., 445, 451-453; inq., 454; in Com., rem., 460, 466, 468; Hon. Mr. Dandurand, rem., 475-477; Hon. Mr. Davis, in Com., rem., 470-471, 473; Hon. David, rem., 458; Hon. Mr. Edwards, in Com., rem., 471-472; Hon. Mr. Kerr, in Com., rem., 458-460; Hon. Mr. Lougheed, int., 445; 2nd R., 445; rem., 445-446, 447; rep., 454; in Com., rem., 458, 461; M., 475; Hon. Mr. Lavergne, M., 474; Hon. Mr. Poirier, in Com., rem., 460; Hon. Mr. Power, rem., 456-457; Hon. Mr. Roche, rem., 450-451; in Com., 461-463; Hon. Mr. Thompson, rem., 457-458; Hon. Mr. Watson, rem., 447.

(114) An Act to amend the Adulteration Act.. Hon. Mr. Bosttock, rem., 358; in Com., 385, 386. Hon. Mr. Lougheed, int., 334; 2nd R., 358; in Com., 385; 3rd R., 387.

(115) An Act to amend the Inland Revenue Act. Hon. Mr. Lougheed, 2nd R., 330; 3rd R., 330.

(116) An Act to amend the Inland Revenue Act. Hon. Mr. Lougheed, int., 334; 2nd R., 358.

(119) An Act to amend the National Transcontinental Railway Act. Hon. Mr. Bostock, in Com., rem., 416; Hon. Mr. Cloran, in Com., rem., 416; Hon. Mr. Lougheed, int., 398; 2nd R., 409-410; in Com., rem., 416, 417; 3rd R., 422; Hon. Mr. Thompson, rem., 410.

(121) An Act to amend the Supreme Court Act. Hon. Mr. Beique, rem., 363. Hon. Mr. Belcourt, rem., 363-364. Hon. Mr. Bostock, rem., 360-361. Hon. Mr. Cloran, rem., 360. Hon. Mr. Dandurand, rem., 362-363. Hon. Mr. David, rem., 363. Hon. Mr. Lougheed, int., 347; 2nd R., 360, 361-362, 363.

(122) An Act to amend the Winding-up Act. Hon. Mr. Lougheed, 2nd R., 409; 3rd R., 416.

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