DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

1916

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SIXTH SESSION—TWELFTH PARLIAMENT.

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1916

SENATORS OF CANADA

SIXTH SESSION, TWELFTH PARLIAMENT, 6 GEORGE V.

ACCORDING TO SENIORITY

1916

THE HONOURABLE PHILIPPE LANDRY, SPEAKER.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
Lawrence Geoffrey Power, P.C.	Sr. M. Halifax	Halifax, N.S.
William McDonald	Cape Breto...n	Glace Bay, N.S.
Joseph Bolduc	Lauzon	St. Victor de Tring, P.Q.
Pascal Poirier	Acadie	Shediac, N.B.
James Alexander Lougheed, P.C	Calgary	Calgary, Alberta.
Peter McLaren	Perth	Perth, Ont.
Hippolyte Montplaisir	Shawenegan	Three Rivers, P.Q.
Philippe Landry (Speaker)	Stadacona	Candiac, P.Q.
Sir Mackenzie Bowell, K.C.M.G., P.C.	Hastings	Belleville, Ont.
George T. Baird	Victoria	Perth, N.B.
William Owens	Inkerman	Montreal, Que.
Alfred A. Thibaudeau	De la Vallière	Montreal, Que.
George Gerald King	Queens	Chipman, N.B.
Jean Baptiste Romuald Fiset	Gulf	Rimouski, Que.
Raoul Dandurand, P.C.	De Lorimier	Montreal, Que.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
JOHN YEO	East Prince	Port Hill, P.E.I.
PETER MCSWEENEY	Northumberland	Moncton, N.B.
JOSEPH P. B. CASGRAIN	DeLanaudière	Montreal, Que.
ROBERT WATSON	Portage la Prairie	Portage la Prairie, Man.
JOSEPH SHEHYN	Laurentides	Quebec, Que.
SIR LYMAN MELVIN JONES, Kt	Toronto	Toronto, Ont.
GEORGE MCHUGH	Victoria, O	Lindsay, Ont.
ROBERT MACKAY	Alma	Montreal, Que.
JOSEPH GODBOUT	La Salle	Beauceville, West, Que.
FREDERICK P. THOMPSON	Fredericton	Fredericton, N.B.
FREDERICK L. BÉIQUE	De Salaberry	Montreal, Que.
JOSEPH H. LEGRIS	Repentigny	Louiseville, Que.
FRANCIE T. FROST	Leeds and Grenville	Smith's Falls, Ont.
JAMES K. KERR, P.C	Toronto	Toronto, Ont.
JULES TESSIER	De la Durantaye	Québec, Que.
WILLIAM C. EDWARDS	Rideau	Ottawa, Ont.
JAMES DOMVILLE, Lt.-Col	Rothesay	Rothesay, N.B
L. O. DAVID	Mille Iles	Montreal, Que
HENRY J. CLORAN	Victoria	Montreal, Que.
WILLIAM MITCHELL	Wellington	Drummondville, Que.
HEWITT BOSTOCK	Kamloops	Monte Creek, B.C.
PHILIPPE A. CHOQUETTE	Grandville	Quebec, Que.
JAMES H. ROSS	Regina	Moosejaw, Saskatchewan.
THOMAS O. DAVIS	Prince Albert	Prince Abert, Saskatchewan
L. GEORGE DE VEBER	Lethbridge	Lethbridge, Alberta
JAMES M. DOUGLAS	Tantallon	Tantallon, Saskatchewan.
PETER TALBOT	Lacombe	Lacombe, Alberta.
JOHN COSTIGAN, P.C	Victoria, N.B	Edmundston, N.B.
ROBERT BEITH	Bowmanville	Bowmanville, Ont.
DANIEL GILLMOR	St. George	St. George, N.B.
GEORGE C. DESSAULLES	Rougemont	St. Hyacinthe, Que.
NAPOLEON A. BELCOURT, P.C	Ottawa	Ottawa, Ont.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
DANIEL DERBYSHIRE	Brockville	Brockville, Ont
VALENTINE RATZ	North Middlesex	New Hamburg, Ont.
ARTHUR BOYER	Rigaud	Montreal, Que.
BENJAMIN PRINCE	Saskatchewan	Battleford, Saskatchewan.
EDWARD MATTHEW FARRELL	Liverpool	Liverpool, N.S.
WILLIAM ROCHE	Halifax	Halifax, N.S.
LOUIS LAVERGNE	Kennebec	Arthabaska, Que.
AMÉDÉE E. FORGET	Banff	Banff, Alberta.
JOSEPH M. WILSON	Sorel	Montreal, Que.
BENJAMIN C. PROWSE	Charlottetown	Charlottetown, P.E.I.
ALPHONSE ALFRED C. LARIVIÈRE	Provencher	St. Boniface, Man.
RUFUS HENRY POPE	Bedford	Cookshire, Que.
GEORGE TAYLOR	Leeds	Gananoque, Ont.
JOHN W. DANIEL	St. John	St. John, N.B.
HENRY CORBY	Belleville	Belleville, Ont.
GEORGE GORDON	Nipissing	North Bay, Ont.
NATHANIEL CURRY	Amherst	Amherst, N.S.
WILLIAM B. ROSS	Middleton	Middleton, N.S.
EDWARD L. GIRROIR	Antigonish	Antigonish, N.S.
WILLIAM DENNIS	Halifax	Halifax, N.S.
PATRICK C. MURPHY	Tignish	Tignish, P.E.I.
ERNEST D. SMITH	Wentworth	Winona, Ont.
ALEXANDER MCCALL	Simcoe	Simcoe, Ont.
JAMES MASON (Brigadier General)	Toronto	Toronto, Ont.
JAMES J. DONNELLY	South Bruce	Pinkerton, Ont.
WILLIAM H. THORNE	St. John	St. John, N.B.
THOMAS SIMPSON SPROULE	E. Grey	Markdale, Ont.
JOHN MILNE	Hamilton	Hamilton, Ont.
CHARLES PHILIPPE BEAUBIEN	Montarville	Montreal, Que.
JOHN MCLEAN	Souris	Souris, P.E.I.
JOHN STEWART MCLENNAN	Sydney	Sydney, N. S.
WILLIAM HENRY SHARPE	Manitou	Manitou, Man.

SENATORS OF CANADA

SIXTH SESSION, TWELFTH PARLIAMENT, 6 GEORGE V.

ALPHABETICAL LIST

1916

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
BAIRD, G. T.	Victoria	Perth, N.B.
BEAUBIEN, C. P.	Montarville	Montreal, Que.
BÉIQUE, F. L.	De Salaberry	Montreal, Que.
BEITH, R.	Bowmanville	Bowmanville, Ont.
BELCOURT, N. A., P.C.	Ottawa	Ottawa, Ont.
BOLDUC, J. (Speaker)	Lauzon	St. Victor de Tring, Que.
BOSTOCK, H.	Kamloops	Monte Creek, B.C.
BOWELL (Sir Mackenzie), K.C.M.G., P.C.	Hastings	Belleville, Ont.
BOYER, A.	Rigaud	Montreal, Que.
CASGRAIN, J. P. B.	De Lanaudière	Montreal, Que.
CHOQUETTE, P. A.	Grandville	Quebec, Que.
CLORAN, H. J.	Victoria	Montreal, Que.
CORBY, H.	Belleville	Belleville, Ont.
COSTIGAN, J., P.C.	Victoria, N.B.	Edmundston, N.B.
CURRY, N.	Amherst	Amherst, N.S.
DANDURAND, R., P.C.	De Lorimier	Montreal, Que.
DANIEL, J. W.	St. John	St. John, N.B.
DAVID, L. O.	Mille Iles	Montreal, Que.
DAVIS, T. O.	Prince Albert	Prince Albert, Sask.
DENNIS, W.	Halifax	Halifax, N.S.
DERBYSHIRE, D.	Brockville	Brockville, Ont.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
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.
ROCHE, W.	Halifax	Halifax, N.S.
ROSS, J. H.	Regina	Moosejaw, Saskatchewan.
ROSS, W. B.	Middleton	Middleton, N.S.
SHARPE, W. H.	Manitou	Manitou, Mar
SHEHYN, J.	Laurentides	Quebec, Que
SMITH, E. D.	Wentworth	Winona, Ont.
SPROULE, T. S.	East Grey	Markdale, 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.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
DESSAULLES, G. C.	Rougemont	St. Hyacinthe, Que.
DE VEBER, L. G.	Lethbridge	Lethbridge, Alberta.
DOMVILLE, J. Lt.-Col	Rothesay	Rothesay, N.B.
DONNELLY, J. J.	South Bruce	Pinkerton, Ont.
DOUGLAS, J. M.	Tantallon	Tantallon, Saskatchewan.
EDWARDS, W. C.	Rideau	Ottawa, Ont.
FARRELL, E. M.	Liverpool	Liverpool, N.S.
FISET, J. B. R.	Gulf	Rimouski, Que.
FORGET, A. E.	Banff	Banff, Alberta.
FROST, F. T.	Leeds and Grenville	Smith's Falls, Ont.
GILLMOR, D.	St. George	St. George, N.B.
GIROIR, 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, Que.
LA RIVIÈRE, A. A. C.	Provencher	St. Boniface, Man.
LAVERGNE, L.	Kennebec	Arthabaska, Que.
LEGRIS, J. H.	Repentigny	Louiseville, Que.
LOUGHEED, Sir JAMES A., K.C.M.G., P.C.	Calgary	Calgary, Alberta.
MACKAY, R.	Alma	Montreal, Que.
MASON, J. (Brigadier General)	Toronto	Toronto, Ont.
MCCALL, A.	Simcoe	Simcoe, Ont.
MCDONALD, W.	Cape Breton	Glace Bay. N.S.
MCHUGH, G.	Victoria, O	Lindsay, Ont.
MCLAREN, P.	Perth	Perth, Ont.
MCLEAN, J.	Souris,	Souris, P.E.I.
MCLENNAN, J. S.	Sydney	Sydney, N.S.
MCSWEENEY, P.	Northumberland	Moncton, N.B.
MILNE, J.	Hamilton	Hamilton, Ont.
MITCHELL, W.	Wellington	Drummondville, Que.
MONTPLAISIR, H.	Shawenegan	Three Rivers, Que.

SENATORS OF CANADA

SIXTH SESSION, TWELFTH PARLIAMENT, 6 GEORGE V.

BY PROVINCES

1916

ONTARIO—24

	SENATORS.	POST OFFICE ADDRESS.
	The Honourable	
1	PETER MCLAREN	Perth.
2	SIR MACKENZIE BOWELL, K.C.M.G., P.C.	Belleville.
3	GEORGE MCHUGH	Lindsay.
4	SIR LYMAN MELVIN JONES, Kt.	Toronto.
5	FRANCIS T. FROST	Smith's Falls.
6	JAMES K. KERR, P.C.	Toronto.
7	WILLIAM C. EDWARDS	Ottawa.
8	ROBERT BEITH	Bowmanville.
9	NAPOLEON A. BELCOURT, P.C.	Ottawa.
10	DANIEL DERBYSHIRE	Brockville.
11	VALENTINE RATZ	New Hamburg.
12	GEORGE TAYLOR	Gananoque
13	HENRY CORBY	Belleville.
14	GEORGE GORDON	North Bay.
15	E. D. SMITH	Winona.
16	ALEXANDER MCCALL	Simcoe.
17	JAMES MASON (Brigadier General)	Toronto.
18	JAMES J. DONNELLY	Pinkerton.
19	THOMPSON SIMPSON SPROULE	Markdale.
20	JOHN MILNE	Hamilton.
21		
22		
23		
24		

QUEBEC—24

SENATORS.	ELECTORAL DIVISION.	POST OFFICE ADDRESS.
The Honourable		
1 Joseph Bolduc (Speaker)	Lauzon	St. Victor de Tring.
2 Hippolyte Montplaisir	Shawenegan	Three Rivers.
3 Philippe Landry (Speaker)	Stadacona	Candiac.
4 William Owens	Inkerman	Montreal.
5 Alfred A. Thibaudeau	De la Vallière	Montreal.
6 Raoul Dandurand, P.C.	De Lorimier	Montreal.
7 Jean Baptiste Romuald Fiset	Gulf	Rimouski.
8 Joseph P. B. Casgrain	DeLanaudière	Montreal.
9 Joseph Shehyn	Laurentides	Quebec.
10 Robert Mackay	Alma	Montreal.
11 Joseph Godbout	La Salle	Beauceville, West.
12 Frederick L. Béique	DeSalaberry	Montreal.
13 Joseph H. Legris	Repentigny	Louiseville.
14 Jules Tessier	De la Durantaye	Quebec.
15 L. O. David	Mille Iles	Montreal.
16 Henry J. Cloran	Victoria	Montreal.
17 William Mitchell	Wellington	Drummondville.
18 Philippe A. Choquette	Grandville	Quebec.
19 George C. Dessaulles	Rougemont	St. Hyacinthe.
20 Arthur Boyer	Rigaud	Montreal.
21 Louis Lavergne	Kennebec	Arthabaska.
22 Joseph M. Wilson	Sorel	Montreal.
23 Rufus H. Pope	Bedford	Cookshire.
24 Charles Philippe Beaubien	Montarville	Montreal, Que.

NOVA SCOTIA—10

	SENATORS.	POST OFFICE ADDRESS.
	The Honourable	
1	Lawrence Geoffrey Power, P.C.	Halifax.
2	William McDonald	Glace Bay.
3	Edward M. Farrell	Liverpool.
4	William Roche	Halifax.
5	Nathaniel Curry	Amherst.
6	William B. Ross	Middleton.
7	Edward L. Girroir	Antigonish.
8	William Dennis	Halifax.
9	John S. McLennan	Sydney.
10		

NEW BRUNSWICK—10

	The Honourable	
1	Pascal Poirier	Shediac.
2	George T. Baird	Perth.
3	George Gerald King	Chipman.
4	Peter McSweeney	Moncton.
5	Frederick P. Thompson	Fredericton.
6	James Domville, Lt.-Col.	Rothesay.
7	John Costigan, P.C.	Edmundston.
8	Daniel Gillmor	St. George.
9	John W. Daniel	St. John.
10	William H. Thorne	St. John.

PRINCE EDWARD ISLAND—4

	The Honourable	
1	John Yeo	Port Hill.
2	Benjamin C. Prowse	Charlottetown.
3	Patrick C. Murphy	Tignish.
4	John McLean	Souris.

BRITISH COLUMBIA—3

	SENATORS.	POST OFFICE ADDRESS.
	The Honourable	
1	HEWITT BOSTOCK	Monte Creek.
2		
3		

MANITOBA—4

	The Honourable	
1	ROBERT WATSON	Portage la Prairie.
2	ALPHONSE ALFRED CLEMENT LARIVIÈRE	St. Boniface.
3	WILLIAM H. SHARPE	Manitou.
4		

SASKATCHEWAN—4

	The Honourable	
1	JAMES H. ROSS	Regina.
2	THOMAS O. DAVIS	Prince Albert.
3	JAMES M. DOUGLAS	Tantallon.
4	BENJAMIN PRINCE	Battleford.

ALBERTA—4

	The Honourable	
1	JAMES ALEXANDER LOUGHEED, K.C.M.G., P.C.	Calgary.
2	PETER TALBOT	Lacombe.
3	L. GEORGE DEVEBER	Lethbridge.
4	AMÉDÉE E. FORGET	Banff.

THE
SENATE DEBATES

SIXTH SESSION—TWELFTH PARLIAMENT.

THE SENATE.

Wednesday, January 12, 1916.

The Senate met at 2.30 p.m.

Prayers.

NEW SENATORS.

The following newly appointed senators were introduced and took their seats:

Hon. Thomas Simpson Sproule.
Hon. John Milne.
Hon. Chas. Philippe Beaubien.
Hon. John McLean.

The Senate was adjourned during pleasure.

The Right Honourable Sir Charles Fitzpatrick, G.C.M.G., Chief Justice of Canada, Deputy Governor General, having come and being seated,

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 the Deputy Governor General's desire that they attend him immediately in the Senate."

Who being come,

The Honourable Speaker said:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I have it in command from the Right Honourable the Deputy Governor General to let you know that His Royal Highness the Governor General does not see fit to declare the causes of his summoning the present Parliament of Canada until the Speaker of the House of Commons shall have been chosen according to law; but, to-morrow, at the hour of three o'clock in the afternoon, His Royal Highness will declare the causes of the calling of this Parliament.

The Right Honourable the Deputy Governor was pleased to retire, and the House of Commons withdrew.

After some time the Senate was resumed.

The House was adjourned until to-morrow afternoon at half-past two o'clock.

THE SENATE.

Thursday, January 13, 1916.

The SPEAKER took the Chair at 2.30 p.m.

Prayers.

THE SPEECH FROM THE THRONE.

This day, at Three o'clock p.m., His Royal Highness the Governor General proceeded in state to the Senate Chamber, in the Parliament Buildings, and took his seat upon the Throne. The members of the Senate being assembled, His Royal Highness was pleased to command the attendance of the House of Commons, and that House being present, His Royal Highness was pleased to open the Sixth 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:

Since I last addressed you the war in which we are engaged has been continued with unabated vigour and varying fortunes.

The Empire's part therein has been amply maintained at sea by the inspiring achievements of the Navy, and on land by the distinguished valour of the great armies which have enrolled themselves in all parts of His Majesty's Dominions for the common defence of our liberties.

In a spirit of splendid loyalty and unfaltering devotion, India and the Overseas Dominions have vied with each other in co-operating with the Mother Country to achieve this great purpose.

The call to service has evoked a widespread and notable response in Canada. Already 120,000 men have crossed the seas, an equal number is now being actively trained and equipped for service abroad, and a call extending the authorized enlistment to half a million men has been received with warm enthusiasm.

At the front our gallant soldiers have met the enemy in repeated contests, and by their pre-eminent courage and heroic endurance have shed lustre upon their country and upheld its highest traditions.

Equally praiseworthy and impressive has been the self-sacrificing and loyal spirit shown by all the Canadian people who have freely dedicated their manhood and substance to the common defence of the Empire.

The life of the present Parliament expires in the autumn of this year, and, under existing legislation a dissolution and election would be necessary in the early future. My advisers, however, are of the opinion that the wishes of the Canadian people and the present requirements of the war would be best met by avoiding the distraction and confusion consequent upon a general election at so critical a time.

That purpose can only be effected through the medium of legislation by the Parliament of the United Kingdom. A resolution authorizing and requesting the enactment of such legislation as will extend the life of this Parliament for the period of one year will be presented to you.

Measures will be submitted for your consideration to further the effective co-operation of Canada in the defence of the Empire and in the maintenance of this war waged for liberty and lasting peace.

It is a matter for profound thankfulness that Providence has blessed the labours of our husbandmen during the past year with the most bountiful harvest in the history of Canada.

Gentlemen of the House of Commons:

The accounts for the last, and the estimates for the next fiscal year will be submitted to you without delay, and you will be asked to make the necessary financial provision for the effective conduct of the war.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

The high courage, the splendid heroism, and the unalterable determination which have marked the united efforts of all portions of His Majesty's Dominions, during a year of unprecedented strain and effort, justify our supreme confidence in the triumph of our cause and in lasting affirmation of the principles of liberty and justice throughout the world. I commend to your earnest consideration the measures which will be submitted to you for aiding in the great purpose, and I pray that the Divine blessing may rest upon your counsels.

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

The Senate was resumed.

BILL INTRODUCED.

Hon. Mr. LOUGHEED presented to the Senate Bill ( ), An Act relating to Railways.

The Bill was read the first time.

The Senate adjourned until Tuesday next at 3 p.m.

THE SENATE.

Tuesday, January 18, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE ADDRESS.

The order of the day being called:

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

Hon. Mr. SPROULE—I appreciate, and gratefully acknowledge the honour conferred on the constituency I so long represented in the other Chamber, my province, and myself, by the invitation to move the Address in reply to the speech from the Throne. As one of the youngest members of this Chamber, I am sure I shall be accorded the indulgence of honourable gentlemen, if I fail to come up to their expectations in the performance of that duty. In glancing over the speech which His Royal Highness graciously addressed to the members of both Houses at the opening, it is at once noticeable that but two important subjects are involved in it, first, the question of the extension of the life of the

present Parliament, and second, measures to be submitted for the further effective co-operation of Canada in the defence of the Empire.

The brevity of it, I assume, is an indication that the energies and labours of Parliament for the session are to be directed to passing only such legislation as is essentially necessary to carry out expeditiously the important work now on hand, of aiding and co-operating with the Mother Country and her Allies in prosecuting the war to a successful issue. Fortunately for Parliament and the country, owing to the fairly prosperous times we are experiencing on account of the bountiful harvest garnered last autumn, and the increased activity in most industrial lines in consequence, and the demands created for new enterprises by the exigencies of the war, the people are fairly well employed at remunerative wages; consequently, the Government can, without serious injury to other demands, devote its energies to the important work of assisting the Empire in defending our rights, maintaining her authority, and safeguarding our liberty.

Dealing more particularly with the items referred to in the speech, the first paragraph sets forth what is painfully apparent to all, viz: that since His Royal Highness last addressed Parliament, the war has continued with unabated vigour and varying fortunes. It is, however, cheering to have it from such high authority that the Empire's part therein has been amply maintained, both on sea and land. Britain's Navy, true to her record in the past, has been a bulwark of safety, from ocean to ocean. Her achievements in the present conflict have equalled her highest and noblest records of the past; and never in the world's history was she more deserving of the title, "Mistress of the Seas," than she is to-day.

For the valour, dauntless courage, and prowess, of the great armies which have enrolled themselves under the flag in all parts of His Majesty's dominions for the defence of our liberties, no words of praise can ever do them full justice.

As for our gallant Canadian soldiers who have gone overseas to join the forces of the Empire, we are pleased to be informed that they have met the enemy in repeated contests, and by their pre-eminent courage and heroic endurance have shed lustre upon their country and upheld its highest traditions.

The assurance given us by His Royal Highness that, "the splendid loyalty and unfaltering devotion of India and the overseas dominions have vied with each other in co-operating with the Mother Country, to defend our liberties," will, I doubt not, be highly appreciated by every citizen of Canada.

Knowing, as we do, the loyal sentiment and devotion of the people of the Dominion to the Mother Country, it was not a matter of wonder, but rather of pride and satisfaction, to find that the "call to arms" was responded to so generously, and with such alacrity, that in the short space of a few months 120,000 men were enrolled, equipped, trained, and forwarded for overseas duty to assist the Mother Country and her Allies, and an equal number are under training at home.

The information that from time to time more will follow as the exigencies demand, until, if necessary, the force is augmented to half a million, will meet with the hearty approval of the people throughout the Dominion.

In connection with what has been already accomplished in this line, and is being done, it is only justice to say, that while the Government as a whole have devoted themselves and their energies to an unlimited degree in furthering the important work imposed upon them in consequence of the war, the Minister of Militia and Defence is specially deserving of the highest commendation for the laborious, energetic, and important work that he has done throughout this trying ordeal. By his incessant labours, persevering energy and vital activity, he has shown an example to the whole force worthy of emulation and truly inspiring.

The observation of His Royal Highness in the speech from the Throne regarding the life of the present Parliament and the proposed legislation for its extension, owing to the war, is a subject which has been engaging the attention of the people for some time past, and, as might be expected, a diversity of opinion exists, some favouring it and others opposed to it. The colossal work the Government have been called upon to perform in consequence of the war is sufficient to tax the energies of the ablest and strongest cabinet the country has ever had, no matter what its capacity for work may have been.

The information that measures will be submitted for the consideration of Parliament, to further the effective co-operation

of Canada in the maintenance of the war waged for liberty and lasting peace, will, I am sure, meet with the approval of this House, and said measures, when before Parliament, will receive its careful attention.

The issues involved in this war are so momentous and far-reaching in their consequences that no effort should be spared on our part, and no sacrifice should be regarded as too great, for the accomplishment of the purpose aimed at. We owe it to the Mother Country, to whom we are indebted for all we have and are; we owe it to her Allies, who are fighting shoulder to shoulder with her to maintain our common rights and defend our common liberty; we owe it to the people of Belgium, whose country has been despoiled, overrun and ruined, and whose citizens have been butchered and their helpless women and children mutilated and massacred; we owe it to humanity the world over, and, lastly, we owe it to ourselves, our country and our homes, to see that nothing is left undone that can properly be done to vindicate British rights, maintain British supremacy and punish the aggressors. I move:

That the following Address be presented to His Royal Highness the Governor General, to offer 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-Cobourg and Gotha; Knight of the Most Noble Order of the Garter; Knight of the Most Ancient and Most Noble Order of the Thistle; Knight of the Most Illustrious Order of Saint 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 Personal 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 which Your Royal Highness has addressed to both Houses of Parliament.

Hon. Mr. SPROULE.

Hon. Mr. BEAUBIEN: The loftiness and happy strain of the remarks you have just heard, honourable gentlemen, increase the hesitation, I should say the embarrassment of one who, realizing all the importance of this honourable Chamber and the worthiness of its members, rises to speak for the first time.

I bless the custom, honourable gentlemen, which requires that on this occasion at least, I should speak in my mother tongue, for if I have never more than to-day felt deeply loyal and grateful towards Great Britain, I must say that never also have I felt prouder of my ancestors' country sweet France which never ceased to be heroic France.

My first utterances in this House shall express all the gratitude I owe to the eminent statesman who guides the destiny of this country, as well as to the Ministers of my own province, for the honour conferred upon me when I was selected by them to sit among you. I wish also to convey my appreciation of your kind and cordial welcome and for the gracious compliment your distinguished leader paid me when I was invited, in spite of my parliamentary inexperience, to join this veteran of public life, honourable Senator Sproule, and second the address in reply to the Speech from the Throne.

When I rose to speak, honourable gentlemen, I felt that your eyes naturally sought the statesman whom I was called here not to replace, but to succeed, and that is a very high honour. You may well believe that more than ever at this moment, I bear his memory in mind.

The honourable member for Montarville was one of the most remarkable figures in our political life. Stalwart and straight in his physical appearance as well as in his moral and intellectual qualities, he left us the example of an honest life inspired by deep and sincere convictions and always guided by a broad and enlightened patriotism. I knew him from my childhood and all my life I have been honoured by his friendship.

When, approaching by the river, and landing on the shores of the beautiful town of Boucherville, one sees, reflected in the calm flow of the St. Lawrence, the pretty white cottages of the village, surrounded by verdant fields, and rising in its beautiful landscape the steeple of the parish church.

Every time I came in contact with this man, so open and clear souled it seemed to me that I saw in him, reflected as in a mir-

ror, the truest qualities of his race crowned by an unswerving faith, as his village is by the steeple of its church.

Allow me, honourable gentlemen, to lay on this recently-closed grave the homage of my admiration and deep respect.

One who, for the first time, listens within these walls to the speech from the Throne, delivered with the pomp, splendour and state that characterize this ceremony, cannot help being deeply impressed. In it the majesty of the crown and the sovereignty of the people are admirably united. We are fortunate in having, in a young and democratic country like ours, a personality as truly royal as that of our Governor General, to constantly keep before our eyes the image of the imposing and benevolent majesty of the British Crown.

Some one has very justly said that history contains several white pages, many that are red with blood and a great many black with mourning. How admirably fitted those words are to our times. After sixteen months of a frightful struggle, how many pages of our history are stained with the blood of our fellow-countrymen and darkened by the mourning of our families. On the other hand, how many pages, thank God, are and will ever stay brightened with a glory never to be dimmed. After sixteen months of bloodshed and slaughter, victory may seem distant, but it cannot fail to come. What must we do in order to secure it?

Our army already numbers nearly a quarter of a million men and the Government appeals to the patriotism of this country to increase this number, if need be, to half a million. The figure is an enormous one. Who among us, a few years ago, would have thought our country capable of such effort?

The great armies of the past lose much of the importance which is given them by history when they are compared with so formidable a military force. Hannibal upon leaving Carthage to conquer Spain and part of the Roman Empire, had but 100,000 men under his banners. If my memory serves me right, Napoleon had with him not more than 100,000 men when he entered Moscow. At the time of the civil war in the United States, there were in all 160,000 combatants in the battlefields of Gettysburg.

Our country is young and its population relatively small, but its patriotism and courage will not be found wanting. Our people are relying on the loyalty and wisdom of the Government to be shown their duty, and they will know how to accomplish it.

Allow me, honourable gentlemen, to bow to one of the members of this House, honourable Senator Curry, who lost one of his sons on the field of honour. I desire also to recall the memory of one of your former colleagues, honourable Senator Drummond, whose distinguished son, Mr. Guy Drummond, heroically gave up his life for his country. I offer my congratulations to my numerous colleagues whose names are so nobly represented by their sons and relatives on the honour-roll of the army.

At one of the numerous patriotic meetings held by our ministers in the province of Quebec, I heard honourable Mr. Patenaude make a very touching comparison. Speaking to the electors of our rural districts, in order to impress upon them even more vividly their duty of flying to the defense of their country, he said: "Is there, gentlemen, a more inspiring spectacle than to see an Anglo-Canadian like Mr. Guy Drummond give up his life for his country, while commanding in French his fellow-citizens of French origin, and Major Roy, a French-Canadian generously sacrificing his life to save his soldiers, while he was commanding in English his fellow-citizens of English origin."

In order to fittingly eulogize our glorious dead, I cannot do better than quote the beautiful verses of Victor Hugo:

Ceux qui pieusement sont morts pour la patrie,
Ont droit qu'à leur cercueil la foule vienne et [prie;
Entre les plus beaux noms, leur nom est le plus [beau,
Toute gloire près d'eux passe et tombe éphé-[mère,
Et comme ferait une mère,
La voix d'un peuple entier les berce en leur [tombeau.

Honourable gentlemen, our country has made a prodigious effort not only in the number of men contributed, but in the amount of money expended. Let us examine how this effort has resulted with regard to the economic condition of the country. How did it affect our external trade? I shall not offer my own personal testimony in this respect, but will submit to you that of a man completely outside of political life, and whose competence cannot be questioned, since he is no less than the general manager of one of the leading banks in this country. His remarks will show that, far from being impaired by the present crisis, our country has largely benefited by it. Dealing with this matter, Mr. Pease, the general manager of the Royal Bank, in his annual report, dated the 15th instant, says:

The decrease in imports of merchandise, namely, $60,681,000, and the increase in exports, $152,315,000, for the year ended November

30th, have turned the balance of trade in our favor to the extent of $163,491,000. These figures do not fully reflect improvement, as it is estimated there are 50,000,000 bushels of wheat stored in interior elevators and in transit, and 88,000,000 bushels still remaining in the possession of the farmers, of which 21,000,000 are required for seed.

A good example of the agricultural possibilities of this country is afforded by comparison with Argentina.

Having turned from a debtor to a creditor nation under the force of urgent necessity, we should strive to make the turning permanent. We now know that we possess the essentials. The question is one of maintaining and increasing our exports by increasing production, and curtailing imports by economy in consumption. The Federal Economic Commission appointed to study these and kindred questions, should receive every possible assistance

Now that our country has benefited by this crisis in its external trade, we wonder whether it has not suffered in its home trade? Again I wish to place before you absolutely impartial and competent testimony. Hear what Mr. Aird, the general manager of the Bank of Commerce, says in his annual report published on the 17th instant:

CREDIT STRENGTHENED.

This demonstration of what we can accomplish under pressure has, of course, greatly strengthened the credit of Canada, so that, while, for obvious reasons, we cannot at the moment sell securities in Great Britain or in Europe, we are building up a market for them in the United States which, when we consider the enormous increase in wealth taking place in that country at the moment, we may well hope is not of a temporary character. During the past year, leaving out the last half of December, the sales of Canadian securities at home and abroad amounted to about 335 millions. This includes nearly 220 millions of Government securities and many sales of other securities which are practically refunding operations. The sales were divided as follows:

In Great Britain, mostly for refunding purposes	$ 43,800,000
In United States	144,800,000
In Canada	147,100,000
	$335,700,000

The Canadian figures are increased by the Dominion loan of 100 millions, very little of which has yet been paid to the Government.

The sales of municipal bonds, at one time during the year the matter of chief concern to those interested in Canadian securities, amounted to about 64 millions divided almost equally between the United States and Canada.

Let us now see what these gentlemen think in regard to the future. I may again quote from Mr. Aird's report:

OPTIMISTIC ON FUTURE.

With regard to the future, our view on the whole cannot but be optimistic. Thanks to the ability of our public men to cope with an unprecedented situation, and the determination of our people to effect personal and public economies, we have been able to bring about a most amazing adjustment from the prosperous enjoyment of an abounding flow of borrowed capital to a condition of severe trade contraction. Our harvests have been bountiful, our cultivated acreage has been increased, and our factories have been entrusted with large contracts for army equipment, munitions and foodstuffs. While this terrible war must bring us much anguish and sorrow, it is clear that in proportion to her population no country will benefit economically to a greater degree than Canada.

To these optimistic views I now add those of Mr. Pease, of the Royal Bank, in the above mentioned report:

The financial statement presented to you to-day is much better than we had reason to hope for twelve months ago, when the outlook was regarded with grave concern. War was raging in Europe and industry every where was paralyzed. We had been undergoing a drastic liquidation, the result of over-expansion, and the situation was greatly aggravated by the outbreak of war which stopped the flow of foreign capital and compelled us to abandon all new construction. Nor did we know what the war presaged, except that we should cheerfully take our part and contribute our share in men and money. Contrast our economic position then with that of to-day, and consider the remarkable transition from depression and gloom to conditions constituting all the earmarks of prosperity. Who would have predicted that within twelve months the Canadian public would subscribe to an internal loan for over $100,000,000, or more than twice the amount asked for? Our astounding recovery is due to a remarkable increase in agricultural production, to prevailing high prices, to war munition orders, and economies practised since the war began.

Under the stimulus of $1.50 wheat, and the pressure from all sides to increase production, farmers of the Northwest increased the acreage under the cultivation 25 per cent, which, with favourable climatic conditions, resulted in an increase of over 100 per cent in the yield of wheat, over 50 per cent in oats, and other grains in proportion. Much credit is due to the Dominion Government and the banks for assistance extended to the farmers by way of liberal advances for the purchase of seed grain. The Government advances for this purpose amounted to $12,500,000.

The enormous demand for war materials, estimated at over five hundred million dollars, has given employment to every manufacturing plant which could adapt itself to requirements. No less than 340 plants, large and small, are engaged to-day in the manufacture of shells. The industry has proved an inestimable boon to this country and the salvation of a number of companies which otherwise might not have survived the crisis.

Hardly twelve months ago we were passing through an acute economic crisis. How does it happen that we are now enjoying general prosperity as if by miracle?

In order that the marvellous resources of our country may be well understood, I want to call the attention of the House to an excerpt from the "Financial Times" of Montreal of the 15th instant, giving interest-

ing figures on the Western harvest of last fall:

(BY T. KELLY DICKINSON.)

"Canadian Finance" of Winnipeg has struck an average of the various official and recognized private estimates of the western grain production for the year 1916, which shows that, including root and fodder crops, the value of the crop reached the abnormal figure of $500,000,000.

The wheat crop is shown at 310,196,000 bushels, for Manitoba, Saskatchewan and Alberta; Oats, 324,986,000 bushels; Barley, 41,066,000 bushels, making a total of all grains, including flax and rye, of 681,869,000. This table makes an interesting comparison:

	1915.	1914
Wheat	310,196,229	140,958,000
Oats	324,986,413	150,843,000
Barley	41,066,636	19,535,000
Total (inc. flax and rye)	681,869,000	318,419,000

VALUE OF 1915 WESTERN CROP.

Wheat at $1.02	$316,400,153
Oats at .39	126,744,601
Barley at .60	24,639,981
Flax at $1.72	8,679,868
Other grain at .75	645,000
Total grain	$477,109,603
Root and hay crops	14,970,000
Grand total, 1915	$492,079,603

Up to Dec. 31, 1915, there was realized from the crop the sums of $215,700,959, (based on grains actually inspected), comparing with above $75,000,000 at the end of 1914—difference enough to account for the change in general trade conditions.

This table shows the amount realized on crop at year-end, 1915.

Wheat	187,738,800	at $1.02	$191,493,576
Oat	43,749,050	at .39	17,062,129
Barley	7,122,600	at .60	4,273,560
Flax	1,636,450	at 1.72	2,814,694
Rye	76,000	at .75	57,000
			$215,700,959

As you will see, honourable gentlemen, the Western provinces alone will furnish this country during the year with a new income of $500,000,000 which is added to the nation's wealth. What then might we not say in regard to the harvests of the other provinces, the products of our forests, mines, fisheries and other resources of the Dominion?

As far as I can judge, the only important industry of the country which has not yet recovered from the depression of last year and the year previous is the building industry. I have before me the report of an interview given by the president of the appraisers of the city of Montreal, Mr. Ferns, published in the "Star" of the 15th inst., in which he predicts renewed activity in this industry in the very near future:

The President of the Board of Assessors, James Hamilton Ferns, who has deep knowledge of local realty conditions, and who keeps strict tab on Montreal's population, prophesies immensely improved realty conditions and a big growth in population, for the year just entered upon.

"The impression has got abroad," said Mr. Ferns to-day, "that there was a considerable slump in population in 1915, owing to the large number who enlisted for overseas service. Such an impression is wrong. A compilation of the voters' lists shows there are only about five hundred persons less on the 1915 lists than the lists of the previous year. Thus is stands to reason that if there is a reduction of only five hundred voters, despite the heavy enlistment, the population has increased very materially.

"The way the outer wards are filling up is satisfactory proof of how our population is growing. In Notre-Dame-de-Grâce and other wards there were hundreds of vacant houses in the early summer of last year, but now these have been snapped up and contracts have been given out for the construction of scores of new dwellings.

"From enquiries I have been making there are excellent grounds for believing that building operations will be very active this spring and summer in nearly all of the wards. We may not have a great many new office buildings, but the growth in dwellings is of far more importance.

NO UNEMPLOYMENT.

"But in addition to these signs of approaching prosperity is the fact that scarcely ever in the history of the city is so much work being offered. To-day the Canadian Pacific railway, and other great business activities are actually advertising for help. Builders who have large contracts are also finding it hard to get the men they require. Wages in the city are high. Machine shops are in full blast.

"A week ago there was a heavy snow storm and the chief engineer had to report he encountered no little difficulty in getting both horses and men. Healthy and promising conditions such as these are bound to attract population, and it will be a matter of surprise to me if the current year is not a phenomenal one in the matter of the growth of population.

"From reports made to me by the assessors I believe it will not be necessary to reduce assessed values in 1916. There is going to be a distinct boost in realty conditions; there will be no further slump in values. There are far less vacant stores in the business districts to-day than twelve months ago.

"All these signs point to revived trade and far better times.

OUTLOOK CHEERFUL.

"Montreal is adding to her population every two years, a number just about equal to the total population of 1862. No conditions can in the long run overcome the buoyant effect of an increase of thirty thousand souls every year, and in a city which is growing as fast as Montreal the demand for real estate is bound to increase. Those who have invested in real estate are sure to have their values increased. There is no city but what has its quiet periods. I believe ours is past and that we are on the eve of a splendid prosperity. Those who have been moaning about hard times really do not know what hard times are. In the whole of

Canada there has been no marked want or destitution. Today there is plenty of work for men all over Canada, while trade conditions could scarcely be more hopeful. The pinch is over and now all we have to do is to be in readiness for the good things of the future."

This quotation will show that the working classes and labourers in general find plenty of work and enjoy the prosperity resulting therefrom. I have carefully followed the labour gazettes for the last few months, and have found nothing contrary to Mr. Fern's opinion, not only so far as the city of Montreal is concerned, but as regards all other parts of the country.

I think I have shown, at least in a certain measure, that the generous participation of our country in aiding the sacred cause of the allies, has improved our economic condition outside as well as at home. True our debt has considerably increased, but it is equally true that the resources of the country have grown in wonderful proportions.

To mention the Western provinces alone, as shown by the figures just given, the harvest of 1915 yielded us $300,000,000 more than that for 1914. I therefore submit, honourable gentlemen, that in spite of its wonderful effort, our nation is still in a position to face and should undergo new sacrifices until the time when the blessed hour of victory shall ring. We are bound to make these sacrifices, in the first place because the flag is in danger and has been insulted by the enemy's bullets, and because the blood of our fellow-countrymen has been shed.

This double appeal, to defend the flag and avenge our dead, needs no comment with the immense majority of this country. It is a call which a noble heart heeds and does not allow the mind to dispute. Even our material interests require these sacrifices.

Some dare to assert that this is not our war. You remember what happened in the first days of August, 1914? You recall the panic, the complete paralysis of business and the slump in all our stocks? You recollect people rushing to the banks in order to withdraw the few gold pieces on which alone they relied to carry them through days that seemed so dark that they hardly showed a ray of hope?

Confidence had vanished, causing such depression in all investments that they could no longer be depended upon. I ask you: what restored confidence and with it the value of these investments? The admirable power and prowess of the British fleet. And I feel I am truly voicing now the deep gratitude of my fellow-countrymen for the priceless service the fleet has rendered us.

There is still another reason why the French-Canadians of this country should do their duty, and I will say, more than their duty. They are the sons of the men who, in 1870, when France was in agony, in their grief, sadly closed their shutters, to endure in the silence of despair, the anguish of defeat.

These men, thank God, have not degenerated. They remember the days of anxiety through which they lived sixteen months ago while waiting for the response of Great Britain to the supreme appeal of France. They still hear those noble words of Sir Edward Grey, addressing the English Commons and saying: I declare that you have no obligation whatever to defend France, but on this question I ask every one of you to search well in his heart before giving his answer.

And this response, honourable gentlemen, given in a formidable manner, first by the navy and then by the army of Great Britain, has meant the salvation of France.

Bornier said of France:

Terre du dévouement, de l'honneur, de la foi,
Terre du dévouement, de l'honneur et de la foi,
Il ne faut donc jamais désespérer de toi,
Puisque malgré tes jours de deuil et de mi-
sère,
Tu trouves un héros dès qu'il est nécessaire.

This hero, honourable gentlemen, was Great Britain.

Could we of the province of Quebec, while our two mother countries, one supporting the other and defending justice and right against the barbarians, shedding their blood together to save the life of the smaller nations and the liberty of the world, could we I say, of the province of Quebec, remain unmoved by this spectacle?

No, never!

I wish you could have witnessed, as I did, the patriotic meetings held in all parts of my province by Hon. Mr. Casgrain and the other Quebec ministers. You would have read in the attitude of the crowds and heard in their warm response to the appeal of these ministers, as well as of the liberal leaders who generously took part in these popular demonstrations, the unequivocal answer of the population of my province.

And if you wish to go above the multitude and seek the testimony of those whose mission it is and who have the authority to guide the people, listen to this admirable lesson of patriotism, quite recently voiced by the Catholic Archbishop of the

city of Montreal. In order that they may be well understood by every member of this House, I shall read in English the words of this remarkable man and eminent prelate:

> His Grace reminded his people that England had gone to war to avenge sacred rights which had been trampled under foot by the German invader. He reminded the French-Canadians that they had followed with pain and anguish the defeat of France in 1871, but he could say with pride that although France is fighting the same enemy to-day, other nations are on her side—Russia and Italy and Belgium, but, above all, powerful England. When England decided to throw her might on the side of justice, it was Canada's bounden duty to rally to her side. "This is a sacred obligation we owe the country that has given us our liberty, and that seeks to crush those who threaten the liberty of the world. The fact that Great Britain was unprepared is unmistakable proof that she had no intention of provoking a war, yet she lost no time in springing to the assistance of Belgium and France, and the proudest duty we as Canadians and as French-Canadians can perform is to throw in our very strongest co-operation of men and money, and see that Great Britain comes out of his war with her Imperial honour untarnished and her great power for good throughout the world more potent than ever before. We are not a neutral country," added the Archbishop, "and as part of the Empire, which spells liberty and glory, our proper place is co-operating with the British army in France, so that the liberty of Belgium may be assured and the triumph of our flag shall be complete. What fate would be ours if the Germans obtained a foothold here? Were Great Britain defeated, Germany would secure domination on the St. Lawrence." Raising himself to his full height, Mgr. Bruchesi said: "French-Canadian country-citizen!" a sentiment that evoked loud cheers.

I will conclude with a wish. When the sun of victory shall at last appear upon the horizon, its blessed rays will fall on the fields of Belgium and France, upon the innumerable graves where side by side, thousands of English and French soldiers, thousands of children of this soil, of all races and all creeds are at rest. May the sacred memory of their dead bring the living for ever closer together.

Honourable gentlemen, I have the honour to second the address in reply to the speech from the Throne.

Hon. Mr. BOSTOCK—Allow me to congratulate the hon. mover and seconder of the Address in reply to the speech from the Throne on the able speeches they have made this afternoon. The mover of the reply is an old parliamentarian, and one who is known to all the members of this Chamber as an able debater. I regret very much that my imperfect knowledge of the French language did not enable me to appreciate to the full extent the eloquent address of the hon. member who seconded the motion; but I congratulate him sincerely on his speech this afternoon.

Since the end of last session the Government have added four members to the Senate, but there are still some vacancies to be filled. It would appear that the Government are not so anxious to fill those seats as we at one time thought possibly they might be. They do not—or at least my hon. friend the leader of the Government of this Chamber does not—feel that the majority in this House are so hard to get along with as one of his colleagues, who referred to the matter in his speech at the close of last session, led the country and the people to understand they were. On that occasion he said that the Senate was a great obstacle in the way of the Government in their efforts to carry out their plans. I trust the Government may see their way to fill the remaining vacancies in this Chamber, so that we may be able to carry on the work of the session properly.

The Address refers to the part that has been played by the British Navy in the terrible war which is now in progress. We can fully appreciate the work that has been done by the Navy in defence of the Empire, though it is not as spectacular as that of the Army. We hear very little about what they are doing; at the same time we can all appreciate that had it not been for the British Navy establishing an ascendency within the first three weeks of the war, which practically gave them full command of the sea, the British Isles and the British Dominions would not have been free from attack, and would not have been able to carry on trade between the various parts of the Empire, or to prosecute the war on land with the same determination and effect that the Allies have done. The very fact that the loss of ships, exclusive of merchant vessels sunk by submarines, was only 56 vessels out of 8,000, shows the tremendous power of the British Navy on the sea. With regard to land operations, our Canadian forces have upheld the honour of Canada at the front. I went to England immediately at the close of last session, and there I found everybody talking of the great stand the Canadian forces had made at the second battle of Ypres and the wonderful way in which they had saved the day on that occasion. It was a great satisfaction to any one connected with

Canada to hear such praise from everybody throughout the whole of Great Britain. The speech from the Throne deals with the question of the number of men who have been enlisted in this country and sent to the front. Our men have made a record in this war and shown themselves worthy of the traditions of the British Army and of the whole Empire. We only hope that in the raising of this extra number of men which the Government propose to enlist, every care will be taken in choosing officers to make the selections only on the basis of competency and efficiency. It is a great responsibility that is thrown on the man in command of a battalion. He has the lives of more than a thousand men on his shoulders, and should be fully competent and thoroughly trained to fill the position with the greatest possible ability. Latterly we have had some speeches from members of the Government on the questions of economy and the efforts every one should make to help in the prosecution of this war. Whilst everybody throughout the country realizes the great necessity of economy and that every one should do his very best to aid in the prosecution of the war, yet to a great many people it has occurred that in the addresses given by various members of the Government from time to time some of the remarks made might possibly have been taken to apply to the Government themselves. Throughout the length and breadth of Canada the people feel that there is considerable waste in the carrying on of the business of the country; that money is being expended on work that does not seem necessary; and naturally, in reading a speech by a minister pointing out the necessity of avoiding waste and urging the exercise of great economy, and of not spending money on unnecessary things, it occurs to people that it would be better if the Government would take these matters in hand themselves and see if it is not possible to curtail a great deal of public expenditure that does not seem to be necessary to the prosecution of the war. The amount expended by the Public Works Department in the year 1914-15 reached the figure of $29,283,314, an increase over the expenditure of the previous year of $1,291,979. The expenditure of that department in 1910-11 was $11,807,035, showing an enormous increase and one that we naturally think the Government should in some way be able to control. Over eleven million dollars of the twenty-nine million dollars spent in 1914-15 was spent on public buildings. Now it does seem that if the Government are impressed with the necessity of economy and the saving of the expenditure of money on unnecessary works, some of those public buildings might have been dispensed with for the time being at any rate, and thus the expense could have been curtailed. We had an instance the other day in Victoria of the way in which money is wasted by the Public Works Department. It came out, in an inquiry before the courts there as to the buying of coal for the Public Works Department, that although the Government had a contract with one particular firm whereby they were able to buy coal at $5.25 per ton, they had been paying as high as $7 and $7.50 per ton to a firm with which they had no contract. When urging the people of the country to exercise economy, it seems natural that the Government should give some reason why they allow an expenditure of that kind to go on. When we consider the amount of money that we have to spend for the prosecution of the war, especially when the Government proposes to raise this extra number of men, it is certainly necessary that every economy should be exercised in carrying on the ordinary business of the country. The expenditure involved in connection with the war is large, and will increase from month to month as time goes on, so that no one can say exactly at the present time what we shall have to expend under this head in the near future. Therefore, we require to use vigilance to prevent waste; and we look to the Government to set an example to the people in these matters and show them, much more than they have done in the past, that when they talk of economy they are in earnest in what they say. The commission appointed by the Government at the end of last session, with Sir Charles Davidson as chairman, have done good work as far as they have gone. They have shown that there has been a considerable amount of waste in the buying of supplies of various kinds for the Government. The report of this commission has not so far been made public, and we do not know more than we have learned from the newspapers, but what has been published has created an impression that the Government have not shown such care in spending the money of the country as the people have a right to expect at the present time. In the prosecution of this war, a great deal has been done by the country. The people have gone into it with their whole heart, but I think that a great

deal more might be done in the matter of organizing the industries of the country for the purpose of producing greater returns and a bigger result possibly than we have thus far accomplished. In England to-day the people have organized their industries in a way which a few years ago would not have been considered possible. Almost all the industries of that country are now more or less under the control of the Minister of Munitions, who has the power to direct what they shall make and also to regulate the scale of wages. Up to the present time no very decided steps have been taken by the Government here to deal with the resources of Canada in this way; it has been left largely to individual effort to deal with these matters, and anybody who has taken these questions seriously into consideration must come to the conclusion that a great deal more might have been done in the way of organizing the resources of Canada for the purpose of prosecuting this war. For the sake of explaining to the House very largely what I mean, I might refer to what has taken place in Australia in this matter. Of course the Australian Governments have a different system to ours. In all the states of Australia they have their own railways in the hands of the Government. Therefore, they have this large number of factories and this work in their own hands, and the men working these factories could be employed making shells and other munitions for the British Government as soon as they realized the fact that one of the great troubles of this war was the want of munitions. As soon as this question of munitions was brought up, the Australian Government formed a Federal Defence Committee for the Commonwealth, and they in turn arranged with the different states that they also would form defence committees to deal with the manufacture of munitions. They took up this question with all the private factories throughout the country and fixed the cost of making shells at a price which was somewhat lower than the price paid for shells manufactured in Canada. The Federal Committee called for tenders for the making of shells and fixed the price of the shells in Australia at $5.05. This figure included the steel used for that purpose, and all contractors willing to accept this price were given open contracts to supply all the shells that they could manufacture up to June 30, 1916.

Hon. Mr. CASGRAIN—What size shells?

Hon. Mr. BOSTOCK—Eighteen pound high explosive shells. And they inserted a provision that this price might be revised at the option of the Government on or after March 31, 1916, the British Government undertaking to give three months' notice when no more shells were required. On this basis thirty-one tenders had been received up to November 1, of which nineteen were formally accepted, the balance being under consideration. In Canada the price originally paid for the machining and assembling of eighteen pound high explosive shells was $5.70 each, and orders for many thousand shells were let at that price. The price in Canada did not include the cost of the steel forgings for the shell bodies, which were supplied free to the contractors. Therefore, the cost in Canada on the Australian basis would be between $6.70 and $7, as against $5.05. This, I think, shows that with proper organization the cost of the high explosive shells supplied in Canada might be reduced from the present cost. The Government in Australia has turned all the available machine shops in the whole country into munition factories, and in some cases the manufacturers have produced and turned over the shells at actual cost. This is, of course, a great advantage and help to the War Office. In dealing with this question of munitions also, the state governments appointed men to make experiments for the purpose of educating the manufacturers of shells in private shops, and assisted them very greatly in finding out what was necessary in their work. They further have been experimenting with the making of machine guns, and also of engines for aeroplanes. As we all know, machine guns are taking a very important part in this war, and a great many have been and are being used at the present time. The manufacturing of engines for aeroplanes is a very ticklish and particular work, and only after considerable experiment can these engines be made successfully. The comparison shows that by organization the people of Australia have been able to do a great deal more than they probably would have been able to accomplish if left to themselves. In this country, by proper organization, I think a great deal more could be done in the development of our mines and in producing the necessary material for the making of guns and ammunition than has been done up to the present time. There has been, in Western Canada at any rate, a feeling that people who were in a position to take hold of some

of these contracts to supply munitions have not been given a fair opportunity such as they had a right to expect in tendering on some of those contracts, and I wish to bring this matter to the attention of the Government in order that they may take it into consideration, and see if it is not possible to do more in the way of organizing the resources of this country, so that a greater result may be obtained than we are obtaining at the present time.

The country is to be congratulated on the splendid harvest in the Northwest last year. Owing to the harvest the people have been placed in a very much better position than they were a year ago, and have been able to overcome the difficulties against which they had been struggling. But on the question of transportation in the West there is a considerable feeling that something should be done at the present time to help out the situation. On the Pacific coast to-day the lumbermen especially are receiving orders for lumber which they are unable to fill, because they have not the necessary transportation facilities. The same condition has prevailed with regard to other products of the country which people have not been able to ship, not because they were not ready, not because the people were not ready to sell them, but because they could not get the necessary transportation at the proper season. My hon. friend to my right says the same thing has occurred on the Atlantic coast, but I understand that to some extent the Government has relieved that situation by arrangements made with the British Government, but as far as I know up to the present, nothing has been done to relieve the situation on the Pacific, and I hope that if the Government possibly can, they will turn their attention to this matter, and see if they cannot do something to relieve the situation. The points that I have raised in this matter are raised with the intention of pointing out the Government the questions that are interesting the people. Members of the Opposition at ordinary times would be free to criticise the Government without reserve, but to-day their great desire is to render every assistance possible to the Government in prosecuting the work which has fallen upon their shoulders with regard to this war. We are all one in our desire to do the very utmost we can for the benefit of the country, and to help in every way possible to bring this terrible war to a speedy conclusion, so that there may be no doubt as to the final ending of it, and that peace may be brought to the world at large; but at the same time we have to remember that it is the duty of the Opposition to criticise and point out where they think better action could be taken, or where improvement could be made in the details of handling the policy the Government are pursuing, and therefore they propose to offer in the most friendly spirit and the best manner they can, a just and fair criticism of the work of the Government. The sole aim at the present time is to contribute as far as possible to the victory of the Allies over the Germans, so that the Belgians, Serbians, and Montenegrins may have their countries restored to them, and that France may recover the territory at present held by Germany

Hon. Mr. LOUGHEED—I have great pleasure in congratulating the mover and seconder of the Address in reply to the speech from the Throne on the admirable manner in which they have performed the duties assigned to them. The Senate is to be congratulated upon the addition to its members of the two gentlemen to whom we have listened with so much pleasure. The hon. gentleman who has moved the Address is recognized as one of our ablest parliamentarians, and his long experience in the House of Commons, as well as his comprehensive knowledge of parliamentary practice and history, will prove of great assistance to this body. The hon. gentleman who has seconded the Address is well known in the public life of his native province. He has been prominent for a number of years in the public activities of the province of Quebec, and his appointment to membership in this Chamber will be a valuable acquisition to our members. We welcome these gentlemen to the Senate, and bespeak for them many years of usefulness in the public service.

The speech from the Throne is very much limited in the subjects with which it deals. It might be said that only two subjects are presented to us for our consideration; one, the extension of the life of Parliament, and the other financial and other legislation dealing with the war in which we are engaged.

In speaking of the measure which it is proposed to submit for your consideration dealing with the extension of the life of Parliament, I need scarcely add that this is a measure which is entirely the outcome of public sentiment which has been expressed in the country on the undesirability of bringing on a general election while we

are engaged in the war. The term of the present Parliament expires this coming autumn. It has invariably been the practice of preceding Governments to dissolve Parliament and bring on a general election a very considerable time before the expiration of the life of Parliament. Since Confederation the practice has been to dissolve Parliament in the third or fourth year of its term. In very exceptional cases has Parliament continued to the fifth year. In anticipation of this practice being observed by the present Government, criticism in the press and otherwise has been very strongly expressed since the declaration of war in 1914 against a general election being held. Very naturally a difference of opinion has existed amongst the supporters of the Government on this very important subject. A very influential section naturally took the ground that since the accession of the Government to office it has been called upon to assume such extraordinary obligations, financial and otherwise, inherited from the late Government, in the carrying out of those two great railway enterprises the National Transcontinental and the Canadian Northern, that the assumption of those obligations warranted the Government in making an appeal to the country for a mandate as to the course they should pursue touching those subjects. Following upon this came the war in which we are now engaged, and which necessarily involved Canada, not only in enormous expenditure, but in the adoption of a policy concerning which the Government would be unquestionably justified in seeking from the electors confirmation of the policy which they have adopted. On these three questions alone the Government would have been warranted in making an appeal to the people. On the other hand, a very large section of the people have taken equally strong ground that under no consideration would the Government be warranted in plunging the country into a general election at a time when we had assumed such responsibilities and were facing all the consequences of a war. Strong reasons can be readily advanced in support of either position. In view of the expiration of the life of Parliament during the approaching autumn, no other alternative presents itself than for the Government to make preparation for the dissolution of Parliament or to throw upon Parliament the responsibility of extending its life for such a reasonable period as to carry us over the probable continuance of the war. In deference, therefore, to public opinion the Government is prepared to submit to Parliament a measure providing for an extension of the life of Parliament. In deference to public sentiment which has been very strongly expressed upon the subject I have no doubt Parliament will not hesitate to accept the responsibility which conditions have cast upon them, and thus relieve the Government from the necessity of following the practice which invariably has been adopted of dissolving the House at an earlier period than the effluxion of its time, and thus avoiding the holding of a general election while engaged in the serious and lamentable business of war.

Reference has been made in the speech from the Throne to the all absorbing question of the war with Germany. This is the third session since the declaration of war that we have been called upon to deal with the subject. When Parliament met in August, 1914, immediately after the declaration of war we were hopeful of a reasonably early termination. We then had certain anticipations as to the extent to which we should participate. These anticipations were largely based upon the signs which were then apparent. Even Great Britain herself at that particular time seemed not to realize the magnitude which it has since developed. The war since that date has spread to an extent which could not have been anticipated. It has not only convulsed the whole of Europe but has extended to the Orient. Since that period it has taken in Turkey, Italy, the Balkan States and Japan, until at the present moment nearly the whole of civilization is involved in a cataclysm of strife such as history has never known. No good purpose can be served in discussing at the present moment the causes which have lead to this frightful convulsion in our twentieth century civilization. The greatest and most important question that we are facing is to properly realize and to perform our duty at this most critical time in our existence.

There seems to be an impression in the minds of some that we have entered into this war voluntarily and without cause; that it was purely a matter of choice, and that we were free to elect whether we should or should not engage therein. Happily this view is confined to a very limited sphere of public opinion, and there is the general recognition of the principle and the fact that when the Empire is at war Canada is

at war. There are times in the history of every country when national sentiment sweeps everything before it, when it is more powerful than constitutional platitudes or doctrines, when even national reason and caution and all other imaginary safeguards which the people will sometimes build up in their statute-books and constitutional practice, are swept away by the wave of national sentiment. Such has been the case in Canada. War was no sooner declared than the peoples of all the Overseas Dominions forgot about distinctions in Governments and boundaries, or that they had not the same voice in war and peace as the people of Great Britain. These things faded into insignificance in the face of the fact that they belonged to the Empire and that the Empire was in jeopardy. Hence, no sacrifice was too great to make for the safety and integrity of the Empire in which they had a common interest and all belonged. Entirely apart from this irresistible wave of sentiment, which so swept over the entire Empire there are the concrete facts to be considered that this war is our war as much as it is the war of the people of Great Britain, or the war of any of the Allies of Great Britain. When the declaration of war was made on the 4th August, 1914, Canada became as much in jeopardy as Great Britain or the country of any of its Allies, and entirely apart from tradition and sentiment and basing our attitude upon common sense and reason, it became the imperative duty of Canada at that moment to become as active a participant in the war as any of our Allies. Though the enemy possibly may not be at our gates, though the smoke of battle and the tumult of war may be confined to European theatres of the war, such as those in Flanders, in France, in Russia, or in Turkey, the duty of defence lies upon us as imperatively as it does upon the Allies. A large section of the people of Canada up to the present time have only been exercised by the sentimental view of the situation and not by reason of the possibility of our suffering from the actualities of war on our shores. The safety of Canada is entirely dependent on the success of the arms of the Allies in Europe. We in Canada must stand or fall by the fortunes of this war between our Allies and our enemies.

This is on the part of Germany a war for world power, of territorial conquest. New countries are what Germany wants. It is not European possessions, it is not conquest in the effete east, but room for German expansion in the western hemisphere; room for its millions of congested population. For years Germany has been conscious of the advantages Canada would afford for German expansion. Germany, through its system of espionage, has a more thorough knowledge of Canada in the pigeon-holes of its foreign office than would be found in the departments of our own Government. Our natural and developed resources, our unoccupied lands, our forests, our minerals, our harbours and ports, our great systems of transportation by land and water, are as intimately known by Germany as by our own people. Do not let us delude ourselves into the idea that the eyes of Germany have not been upon Canada. For years we have been under the observation of its spies and the observation of its foreign office. Here is a country with resources and possibilities beyond the conception of the human mind; capable under German systems of efficiency and organization of sustaining 200 million people, with the climatic conditions that appeal more to the German people than to any other people in Europe, lying alongside the United States within the boundaries of which are to be found ten to twelve millions German people; more Germans than are to be found in any country outside of Germany. The greatest menace to Canada from this war lies in this situation. Our security, our very existence as a free people lies in the defeat of Germany in Europe. Once let the German armies break through that 400 miles on the western front in Flanders and France, once let German armies reach Paris, crush France and concentrate upon Russia, what would be England's chance of repelling Germany's war machine, the greatest fighting machine the world has ever seen? Assuming that Great Britain should meet with defeat or even less than that, namely that our Allies should be defeated, and Germany should direct her attention to Canada, what then would be our fate? In fact, were Germany to triumph to-day, there is no territory belonging to Great Britain or any of our Allies that would appeal to it so strongly as Canada. In fact Canada would logically be the only area of great territory that would appeal to Germany for the settlement and expansion of its congested population. With the Allies beaten German transports could lay down in Canada an army of several hundred thousand in a few weeks, and with the co-operation of her ten mil-

lions in the United States convert without difficulty Canada into a trans-Atlantic Germany, and this notwithstanding the Monroe doctrine. The application of the Monroe doctrine at such a time by the United States could only be asserted in proportion to the force of arms behind it. Under the conditions which I have outlined this to Germany would be regarded very much as the treaty of neutrality which Belgium had with Germany. I point these things out to impress you if possible that this is the fight of Canada as much as it is the fight of France and Great Britain. We are as much interested in the results as any of the Allies. Our liberties, our security, our homes, our country are as much at stake as were those of the Belgians or those of our Allies. We are in this fight not for mere sentiment but for everything we hold most dear. We have a duty to perform in smashing the Germans as much as any of the Allies engaged in the fight. If the Allies fail we are as much crushed and lost as they. If they win we have saved Canada as much as the Allies have saved the country for which they have fought.

The manifest duty of Canada at the moment is to help our Allies to prosecute this war to the end. There is no alternative except we become passive and are prepared to accept the subjugation by Germany of our country and our race. The fight must be made with the same intensity and seriousness as if the enemy were thundering for admission at our gates. Keep in mind that because the operations of war are being conducted on European fields that in the ultimate analysis and consequence the results as to Canada would be the same as if war were being waged within or adjacent to our own boundaries. All our energies and resources must be enlisted in carrying on this fight with the same intensity as our Allies. Our national existence is dependent on the fight we make.

With the enormous resources of men and treasure on one side represented by the Empire and our Allies there ultimately can be only one conclusion to the war, and in that conclusion we must be as active participants as our Allies. Canada must be prepared to enlist all her resources and to pledge her support to the Empire and her Allies irrespective of all other considerations. Let me say in conclusion that I hope the session will not be unnecessarily long and that the public business which it will be the duty of the Government to bring down may be prosecuted by the Senate with satisfaction to itself and with profit to the country.

Hon. Mr. POWER—I rise merely to make a few observations on the speech which His Royal Highness has delivered to the House, with possibly a few references to that just made by the hon. leader of the Government. Before proceeding to these matters I feel that it is my duty to congratulate the House, as well as the mover and seconder of the Address, on the fact that those hon. gentlemen have been added to the Senate.

The hon. gentleman from Grey (Hon. Mr. Sproule) pleaded that as a young member—I do not know whether he said unaccustomed to public speaking—some allowance should be made for his inexperience and youthfulness. Now, that was very modest. Possibly the hon. gentleman, having been four years in the comparatively serene atmosphere of the speaker's chair, has rather got out of the way of public speaking; but from his speech I think he did not seem to have suffered in that way as much as he might, and I have no doubt that we shall often hear from him, and to advantage, during this session. I may say, further, with respect to the hon. gentleman from Grey, that his selection by the Government for membership in this House was a judicious one. The hon. gentleman has a large parliamentary experience, which is an important thing. He has long familiarity with public life, which is also important; and he is clear-headed, and I might say is not given to expending money wastefully, and that is also a good characteristic for a senator. While I was able to a certain extent to follow the hon. gentleman from Montarville, I regret to say that my hearing is not perfect and I did not catch everything that he said; but I had heard very favourable accounts of the hon. gentleman, and expected something very good indeed, and was not disappointed. One thing that impressed me very favourably was that the hon. gentleman, in beginning his speech, referred to the hon. gentleman whom he has succeeded, the late Senator DeBoucherville. I think we all have the same feeling about that hon. gentleman. He was in years the senior member of this House. I have the melancholy distinction of having been his senior as a member of the House, but he was quite a bit ahead of me in years. We had all learned to like and

respect him. He was perfectly inoffensive, agreeable, and though strong in his party views was never offensive or aggressive towards other people, and his private life was just as admirable as his public life. In the late hon. gentleman from Montarville the Senate lost a man who could truly be described as a Christian gentleman.

In reference to the speech of the hon. leader of the Government, I quite agree in his concluding observations. This war is Canada's war just as much as it is the war of England; and it is our duty to exert ourselves just as much as it is the duty of the people of England to exert themselves.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—His Royal Highness speaks of the valour of the sailors and soldiers of the various parts of the Empire that have gone to the front in splendid loyalty and unfaltering devotion. Then His Royal Highness says:

The call to service has evoked a widespread and notable response in Canada. Already 120,000 men have crossed the seas, an equal number is now being actively trained and equipped for service abroad, and a call extending the authorized enlistment to half a million men has been received with warm enthusiasm.

Now, hon. gentlemen, it is true that the call to service has evoked a widespread and notable response in Canada; and I assume that there is no doubt that 120,000 men have crossed the seas; but there is just one point that I do not feel quite satisfied about: if 120,000 men have crossed the seas—and within the last few weeks I think ten thousand have crossed—I understand only 50,000 or thereabouts are actually on the field of action. Now, I really do not see that so long a period of training in this country is required for our soldiers; at any rate if they are trained for six months here, it does not seem to me that they should require three or more months training after they go to England. I do not profess to be an expert in this matter; but it does seem to me that of the 120,000 men who crossed the seas a larger number should be at the front. Our men have a capacity for adapting themselves to circumstances which, I may say, is greater than that of the average Englishman, and perhaps it might have been possible to have got a larger proportion of them to the field of action. While I do not quarrel with the substance of the declaration quoted, that the call extending the authorized enlistment to half a million men "has been received with warm enthusiasm," I do rather question the wisdom of its form. What I think we might very well say is that we have fixed the figure now at 250,000 men, and we are prepared to supply such further number of men as occasion may require. Although it may be the fact that we desire to raise half a million men, the language used in the paragraph is more or less wide and I think it is more than wide—it is a little extreme. I do not mean to say we should not raise that number of men, but we should undertake to raise whatever number is found necessary. Suppose that a collapse should occur on the side of Germany and Austria and Turkey after we had got 300,000 or 400,000 men in the field; you see we would have considerable trouble in absorbing them again. Then His Royal Highness says:

At the front our gallant soldiers have met the enemy in repeated contests, and by their pre-eminent courage and heroic endurance have shed lustre upon their country and upheld its highest traditions.

We are quite in accord with that. The men of Canada, both those of French origin and those of English origin, have shown that the breed has not deteriorated. No men have fought better in the Old Country than our men have fought, and further, it shows that the breed of Canadians has not deteriorated since the war of 1812. The men at the front to-day are worthy successors of the men who fought at Chateauguay and Chrysler's Farm.

Then again it indicates that what might have been regarded as only an exceptional thing—the way in which the Canadians distinguished themselves at Paardeberg—was not an exception, and that the men at Paardeberg were only fair samples of the men whom Canada is now sending to the front.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—The next paragraph is the one which deals with the extension of the life of this Parliament for the period of one year. That is a question as to which, as the hon. leader of the Government has said, there is very considerable difference of opinion through the country. The hon. gentleman now seems to think that it is absolutely essential that the life of this Parliament should be prolonged for a year from next October; and though I do not know just what attitude the hon.

gentleman assumed, I judge from the tone of his speech that to a certain extent he sympathized with those of his colleagues who thought there should have been a dissolution in October of 1914, or that there should have been a dissolution in June, 1915.

Hon. Mr. LOUGHEED—Oh, I would have been satisfied with one.

Hon. Mr. POWER—The hon. gentleman did not say that distinctly, but I think that his speech indicated rather that his sympathies were that way. Now, if it would have been right and proper to have had a dissolution last June when the war was at its height and when perhaps our war-making machinery was not in as good running order as it is now, why should it be absolutely necessary that we should not have a dissolution next October? That is something that I do not altogether understand. And if the hon. gentleman will allow me to say so, he was not quite accurate in his statement with respect to the practice in the past. He said that the uniform practice had been that Parliament was dissolved before its time had expired.

Hon. Mr. LOUGHEED—I did not intend to say that. I said almost without any exception.

Hon. Mr. POWER—I have no doubt the hon. gentleman meant to qualify it, but as a matter of fact he did not. The truth is that the Parliament of '78 held for five sessions. The Parliament elected in '67, which ran till 1872, was alive for five years. The next House, elected in 1872, was dissolved on account of the Pacific scandal; but the 1878 House sat for five years as did the House elected in 1891. It seems to me that the normal and fair thing is that, unless there is some very serious reason for a dissolution earlier than the expiration of the term, the members who are elected for five years should hold their seats for five years. There has been a disposition on the part of the Government of the day to take advantage of their opponents, and I think that an election ought to be fought out on even terms. The hon. gentleman, as one reason for a dissolution, I suppose in 1914, spoke of the large financial obligations which the Government had inherited from their predecessors. I grant that the Government did inherit large financial obligations, and I think it was the duty of this Government as a body of prudent men to immediately set to work to cut down the expenditure so as to enable them the better to meet those obligations. Instead of that they largely increased the expenditure in every department of the Government and increased it in some cases in a most unjustifiable way. Take the Customs, the Post Office, and other departments, and you will find that while a large number of employees were dismissed, double the number were appointed to take their places. There was a perfect carnival. It was a case of "let her go, Gallagher" during the first two or three sessions, and there is no knowing where we would have been now if it had not been for the war. In fact, there is no knowing where we are even with the war. With respect to this particular paragraph we are dealing with, the hon. leader of the Government said it must be discussed at an early date. I take the liberty to differ with the hon. gentleman there. The House of Commons does not die until next October. The British House of Commons died this month. Did they say in England that the House should last until the expiration of the year after the war? Not at all. They extended the term of their Parliament for eight months. The life of our Parliament extends nine months from the present time. The English House of Commons, with the extension, dies in September next. Our House does not die until October. It really does not appear to me that there is any special reason why we should be in a hurry about this thing. I say it is not an urgent matter. This session will probably run until Easter or thereabouts, and if Parliament decides that the term of the House of Commons shall be extended, it will be time enough to deal with that matter somewhere in the latter part of the month of March. By that time things will have developed. We may be in a position to say whether the war is about coming to an early termination or not, and at any rate I think that instead of adding a year to the life of the existing Parliament, the proper sort of measure would be to provide that the House of Commons shall live until, say, six months after the signing of the treaty of peace.

Hon. Mr. CASGRAIN—That is not what they ask.

Hon. Mr. POWER—I know that, but that is what they ought to ask. There is just one other point to which I should like to draw the attention of the leader of the Government—a statement he made towards the

close of his speech, because I feel he did not intend that his words should bear the meaning that might be attached to them. He spoke of the presence of a number of German settlers in Canada, as well as in the United States, as being in a sense a source of danger, or a menace. I do not think that is the case. I know, speaking for the province from which I come, that we have a large German population, or population of German descent, particularly in the county of Lunenburg, and those men are not a bit more disloyal than any of their neighbours, and they are enlisting to go to the front in Lunenburg, as well as in other counties.

Hon. Mr. LOUGHEED—I should be sorry to reflect on those people, but I refer to the Germans we have placed in the internment camp.

Hon. Mr. POWER—I feel certain the hon. gentleman did not intend to reflect upon the loyalty of the Germans around Berlin, Ont., and other places.

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. POWER—The hon. gentleman used unqualified language, but I am sure he did not mean it.

Hon. Mr. CHOQUETTE—I move that the debate be adjourned until to-morrow.

The motion was agreed to.

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

THE SENATE.

Wednesday, January 19, 1916.

The Speaker took the Chair at Three o'clock.

Prayers and routine proceedings.

THE ADDRESS.

The Order of the Day being called:

Resuming the adjourned debate on the consideration of His Royal Highness the Governor General's speech on the opening of the sixth session of the twelfth Parliament, and the motion of the Hon. Mr. Sproule, seconded by the Hon. Mr. Beaubien, that an humble address be presented to His Royal Highness the Governor General for the gracious speech which he has been pleased to deliver to both Houses of Parliament.

Hon. Mr. CHOQUETTE—My first words in continuing the debate will be words of regret for the great number of our colleagues who have departed this life since last session, and especially for the venerable gentleman who sat on this side of the House, Hon. Mr. DeBoucherville, who, with others, has gone to his reward. We all regret the great loss the Senate and his family have sustained through his death. On the other hand, as all these seats ought to be filled, and filled by friends of the present Government, I have great pleasure in saying that those who have been introduced into this House to fill the vacancies are gentlemen worthy of the positions in this House and a credit to the country. I offer my congratulations, especially to the hon. mover and seconder of the Address. I have had the pleasure of sitting for about fifteen years with the hon. gentleman from Grey (Hon. Mr. Sproule), and although, as we all know, he has strong convictions on different questions, I am bound to say that during all the time I sat with him in the House of Commons I always found him a gentleman of the highest character, placing his arguments strongly before the House, but always in a gentlemanly way. Referring to the hon. member who seconded the motion in the reply to the Speech, I join also with those who have paid him compliments. We all know his high position at the bar of Montreal, his qualities as a businessman, and his situation in the counsels of his party; he has obtained his reward. I choose this first occasion to offer my personal thanks—and I would not be human if I did not do it—for his having said many times during the election in 1911, when he was fighting for the Nationalist party, in favour of the Tory party, that I was one of the most independent members of this House.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. CHOQUETTE—And carrying in his pocket a speech which I delivered in this House on the Navy Bill, he was on every hustings, meeting the Liberal speakers with my speech, saying that I was a great independent man, reading my speech, and I may say that this was the best part of his own. I am sorry he is not in his seat just now, but I hope that he will retain the good opinion of me which he expressed then. Having said so much, I shall now proceed to discuss the two very important items contained in the speech from the Throne. These items are, money and men to continue the war, and the extension of this term of Parliament, in

order to allow the present cabinet ministers to retain their portfolios, and for the present members elected to oppose this Government in 1911, to remain in their places a few months longer. I do not intend to make a political speech, but I must be permitted the liberty to refer to some of the declarations of public men who now occupy the treasury benches and gentlemen who are in that House. Naturally, the first question which one asks himself, and the question which must have been asked of you, and which has been put to me a hundred times in my office, on the street, in the car and everywhere, is: Who is responsible for this terrible war which is costing so much money and so many lives? I read not later than the 15th of this month, in a very important paper—though it is a Tory one—the Gazette of Montreal, under the heading of "Mr. Lavergne's position," the following:

The Government of Great Britain thought it necessary in defence of its interests and in discharge of its treaty obligations to other countries to declare war against Germany which involved, in time, declaration of war against Austria-Hungary, Turkey and Bulgaria.

So there is an assertion that England began the war. I must dissent from that. I am probably too loyal to say that England is responsible for the war; only when history comes to be written will we know what nation began the war. At the same time I am bound to say, as a citizen of this country and a British subject, that if England did not begin the war, she is somewhat responsible for it. I shall try to prove that by quotations from official books. Every one must take his share of the responsibility, and later on we will exactly know who is responsible for the war. So, though I disagree with the Gazette saying that England has declared war, I say England is somewhat responsible for the war. Had England not been, in the last days of July, 1914, flirting a little with Germany, had she declared at once that she would stand by the treaty she signed with Russia, France and Belgium, there would have been no war, that is my opinion. If you look at France's Yellow Book, what we call the Documents Diplomatiques, 1914, re Guerre Européenne, you will find document No. 92, dated 29th July, 1914, from Jules Cambon, French Ambassador at Berlin, to the French Minister of Foreign Affairs, which summarized it as follows:

Jusqu'à ces tout derniers jours on s'est flatté ici, que l'Angleterre resterait hors du débat, et l'impression produite par son attitude est profonde sur le gouvernement allemand et sur les financiers et hommes d'affaires.

Jules Cambon.

Mon collègue d'allemagne ayant interrogé sir Edward Grey sur les intentions du gouvernement britannique, le secrétaire d'Etat aux Affaires étrangères a répondu qu'il n'avait pas à se prononcer quant à présent.

Sir Edward Grey ne m'a pas caché qu'il trouvait la situation très grave et qu'il gardait peu d'espoir dans une solution pacifique.

Jules Cambon.

To that day, July 29, 1914, Germany was under the impression that England would stand aside——

Hon. Mr. CLORAN—On account of Carson.

Hon. Mr. CHOQUETTE— ——and by this attitude has produced a profound impression on the German Government and on financial and business men. On the same day in despatch No. 97, M. Cambon says: "My German colleague having asked Sir Edward Grey the intention of the British Government, the Secretary for Foreign Affairs answered that he has nothing to say for the moment, though adding that he finds the situation very serious and grave." That is a few days before the war; so I claim that though England did not begin the war, she could have prevented it by answering firmly and squarely that she would defend Belgium and France if attacked. I hope that when history comes to be written it will prove that had England declared formally that she would stand by the treaty and resist the invasion of Belgium, we would have had no war. I am willing to admit that England acted in good faith, believing that there would be no war, but all should bear their own share of the responsibility, whether as Governments, members of Governments, senators or even simple electors. In the face of these facts, I am not saying anything about England; but we have to discuss the question of war and state facts as I think they are. Why should we be loaded with the expense of sending large armies to Europe, and increasing the public debt by hundreds of millions? I repeat: every one has to take his share of the responsibility, and I think England is a little responsible for the war, though at the time they did not believe there would be war. Yet as Sir Edward Grey said, the situation was very grave,

but he added he had nothing to say against the pretentions of Germany, or as to their standing by the treaty that they had signed.

Having said that I ask whether the declaration, repeated yesterday by the leader of the Government, and repeated hundreds of times by the leaders of both parties in the last few years, that when England is at war, Canada is at war, is true? I say no; and I say so in the light of declarations made in this country since Confederation, by leading statesmen, the Macdonalds, the Blakes, Tupper, Cartwright, and Laurier himself. All those great patriots were unanimous before 1910, or about then. It never before was said and never was believed that when England was at war, Canada was at war. The very contrary was declared; but I remember the Hon. Mr. Fielding, in a public speech at Montreal saying, in defending his policy, that England being at war Canada is at war. Since then this has been repeated by the Liberals; but by the Tories it has only been repeated since they are in power after the election of 1911. During that election, as I shall prove in a moment, they took the opposite view; they said, no war, no men, no money for England. And a member of the present Government, Mr. Blondin, said on the platform, "We owe nothing to England, we have been obliged to shoot holes in the British flag to let in a little air of liberty." I say this, having nothing political in my mind, but merely narrating a little bit of history. I repeat that I do not think this motto, repeated yesterday with great eloquence by the leader of this House, is true—that England being at war, Canada is at war. I say that such a doctrine is contrary to facts, contrary to the political constitution, and contrary to the declarations of our public men since Confederation. In fact at one time when England was at war, the Prime Minister of that day, Sir John Macdonald himself, declared that he had nothing to do with that. In the Boer war what was done? Under the pressure of some jingoes from Ontario, the Government of the day felt obliged to send some thousands of men to South Africa, but what was said then? It was declared that this should not be taken as a precedent? Why? If we are at war when England is at war, we are obliged to send men to fight her battles, as we are doing now. Why add this rider to the resolution declaring that we must send men across the Atlantic and pay for them? Because the declarations of all the leading statesmen of both parties until now have been to the effect that we had nothing to do with foreign wars, and that our militia and our money were to be kept in this country for the defence of the Dominion.

Hon. Mr. CLORAN—Hear, hear, perfectly right.

Hon. Mr. CHOQUETTE—Now what has happened? We have to go a little into the history of what took place during the last election. I must deny the statements made by some hon. gentlemen as to my position on the naval question. I did not denounce the principle of a Canadian navy at the time—my speech is there, and that speech has been the burden of all the Tory candidates. I quote this now to show that all the Liberals are not of the same opinion. I said, "You must not impose a great burden on the people of Canada for a navy without consulting the people." That is the position that I took then, and it is the position I take now, as I will show later on. When the Laurier Government was spending a few hundred thousand dollars to build a Canadian navy, though I opposed it as a question of expediency at the time, I think now that it would have been a good thing to have it. I may have been mistaken then. But is it not a fact that in the by-election held in Drummond and Arthabaska, and in the General Election of 1911 all the Tory candidates in Quebec who called themselves Nationalists at the time were opposing this navy, fighting against spending one cent for England, spending one cent for maintaining militia? And Mr. Blondin, Mr. Patenaude and all the others were asserting that we owed nothing to England. Is it not a fact that after the Drummond-Arthabaska election Mr. Sproule, the hon. member for Grey, or Mr. Foster, sent congratulations to Mr. Monck on his great victory? And the same thing was done in 1911. Why? Because those gentlemen did not care for the Empire, did not care for the flag; they cared only for power, and as soon as they got into power they said, "Now let us forget all this thing, and proclaim all over the country that we are loyal." We are just as loyal not only by words but by actions as they are themselves. Now those gentlemen who had been opposing any aid to England at the time, are not only not opposed to our spending money in prosecuting the war in Europe.

but anxious to increase the expenditure. If those gentlemen are sincere now, they were not sincere in the past. Not only were Tory candidates insincere at that time, but in Quebec they carried on a war against Laurier. In the Quebec Legislative Assembly on the 2nd June, 1910, I find that Hon. Mr. Taschereau, one of the best men in Quebec, when in Toronto said something to the effect that we were a part of the Empire and prepared to do our share in time of war. What happened then? The Legislature was in session at Quebec, and it was then proposed by the Hon. Mr. Prevost, seconded by Mr. D'Auteuil:

Whereas in December last, during an excursion to Toronto, the official character of which was recognized by the speech from the Throne, the Minister of Public Works and Labour pronounced himself, in the name of the people of the province of Quebec and in the presence of the Prime Minister, in favour of the general participation of Canada in the wars of the Empire and of the organization of a Canadian navy or of any other measure which the Federal authorities might deem it proper to adopt on this head.

Whereas the minister had no authority to thus prejudge the opinion of the electors of this province on this grave question, which was then on the point of being submitted to the consideration of the Federal Parliament.

Whereas the numerous protests that have been made from this province, and from several others, against this new policy have proved that the Minister of Public Works and Labour has not faithfully represented the opinion of the people of this province.

Whereas neither the Prime Minister or any of his colleagues have disavowed the declarations of the Minister of Public Works and Labour.

The House regrets that one of the ministers of this province should, without any mandate, on a question foreign to the jurisdiction of the Government of which he forms part and under circumstances which give considerable weight to his words, have made indiscreet declarations calculated to represent in a false light the opinion of the electors of this province.

And the Cabinet being responsible for the stand of each of its members, the House considers that the Government deserves to be censured.

And who voted for that ? First, Hon. Mr. Patenaude, a leading light in the present Government, and Messrs. Lavergne, Cousineau, leader of the present Opposition, Bourassa, Gault and others. In fact, the whole Tory party in Quebec voted against the minister who said that the province of Quebec should take part in the war. It shows the sincerity of these gentlemen who now favour this policy, after having denounced it in the election of 1911 to obtain power. But there is much more. It requires money to conduct an election—a lot of money. The Nationalists, from Mr. Patenaude down, were not rich men, and they had to obtain money somewhere. To whom did they apply? They went to that loyalist, Sir Herbert Ames, of Montreal, and he furnished the men and money to distribute. The Devoir and the Nationaliste in the Eastern Townships of Quebec furnished the money necessary for the success of the Tory candidates who were then fighting the English flag.

Hon. Mr. CLORAN—That is true.

Hon. Mr. CHOQUETTE—Now these gentlemen are in power. The then leader of the Nationalists, the man who furnished the money, is not a member of the Government, but he is a knight; he is Sir Herbert Ames; he is the head of the Patriotic Fund. However, I must say that he has also good contracts under the name of Ames, Holden & Co., to furnish shoes which have proved to be unsuited for the soldiers occupying the trenches. I am not saying this with the idea of making a political speech. I do not make these statements as a Liberal, but as a citizen and an elector of this country and a member of the Senate. Facts are facts, and because the Liberals are called upon to discuss what was said and done by the Tory party in the last election, it must not be said that the Liberals are making political speeches. I am simply putting the facts before this House and country, and I am willing to stand by the verdict of the country on this matter. Now, I come to the question of the prolongation of the life of Parliament. This naturally is a very important question, not only because the members of the other House will keep their seats for a longer time than they are entitled to by the Constitution, but because I am opposed to touching the Constitution. We made a contract between all the provinces at the time of Confederation, and I say it is a most dangerous thing to alter it, especially at a time like this. If the majority of both Houses of Canada pass a resolution amending the Constitution framed in 1867, what would prevent them to-morrow, next year, or in ten years, when other questions arise, altering the Constitution again? If the majority of the House of Commons can keep members of Parliament for ten or eighteen months longer than the term for which they were elected, they can do so for twenty years, and we will have a long Parliament in Canada such as they had

in England long ago. If the majority of both Houses can amend the Constitution in this regard, they can amend it tomorrow in regard to the separate schools of the provinces. I say it is a most dangerous precedent to amend the constitution in order to give this Parliament a longer life than the term for which they were elected by the people. I therefore oppose with all my strength the prolonging of Parliament for one minute. The members of the existing Parliament were elected for a term of five years. Their time expires next October. Parliament has a lot of time yet to run. Let it continue till the five years term expires. There is no reason to extend the life of Parliament longer than they are doing in England, where they are asking for an extension of only eight months, which will expire in the same month as this Parliament. And it must be remembered, in England they are their own masters. They do not require the assistance of anybody else to prolong their existence. I think they are wrong in doing it; still it is their own affair. In this country we occupy a different position. I am not going to call upon the British Parliament to give the members of the House of Commons a mandate for a longer period than that given them by the people. I am not alone in the view I hold. I find in the Montreal Gazette of November 25, 1915, reasons given why we should not touch this question, the Gazette holding that the position of England is different from the position we occupy. In the Old Country they have asked the leader of the Opposition to join them and share the responsibility of conducting the affairs of the country, and they have reason to say that both parties are united in any action they may take. In this country the Government have not asked the Opposition to join them, and I do not think the Opposition would have joined them had they been invited. I hope they would not, but that is their own affair. I do not know that they have asked the leader of the Opposition to co-operate with them. They have never offered four or five portfolios to the Opposition to help them go on with the war, as was done in England.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. CHOQUETTE—The Gazette is a good paper. I read it every day in order to be posted on public questions. I do not always agree with the statements it makes, but I like to peruse it, because it generally gives information, and the editorials are very good. The Gazette says:

The Term of Parliament.

The situation in Canada is different. Here is a written fundamental law, which limits to five years the existence of each elected House of Commons. The term is so long that dissolution has generally been advised and ordained before it had been completed. In the present case the five years' term will expire next autumn. The general election should be held then if not earlier, and this whether the war is ended or not. Indeed, if the war is not ended, there may be weightier reasons for holding an election than if in the meantime peace is made. The situation is serious now. It may be gravely so a year hence, and call for such action and such sacrifice that only a new House of Commons strong with the authority of the people's freshly expressed judgment could with propriety initiate the steps to make them possible. Another matter to be considered is that, at present, the existing House of Commons is not properly representative of the people of the whole country. The distribution of the electoral districts is based on the census returns of 1901. One large section is under-represented; another has more members than it is entitled to by its population. Such a state of affairs should not be continued longer than is necessary. The strong arguments are all against any attempt at extension of the term of the House of Commons in Canada and in favour of following the regular course. There is nothing dangerous about an election. There are men who will take advantage of a contest to show their narrowness and to abuse their opponents; they are doing this now. These do not influence the masses. The able men, the real leaders in public life can meet on the platform and present their views without developing prejudice or stirring up hatred. On the great issue of the day, also, the leaders are agreed. They all favour ploughing the war furrow to the end. And the man who has special charge of the work of war preparation need not and will not neglect his duties for a day for the sake of the election. The question is not one either in which the possibilities of party advantage should influence men's minds. It is too big to be complicated by prejudice or desire for gain.

What can the members of the Government and the leaders of the Liberal-Conservative party say against that? Is it not true from first to last? I say yes. In addition to that, I repeat that it is a dangerous thing to touch the constitution. All the reasons and facts brought out confirm the opinion that there ought to be an election before the end of the war in order to give the people a chance to pronounce themselves on the questions which are presented here. This paper puts the case so strongly that I do not see how an hon. member in this House or in the other House can say it is not true, unless they wish to stick to their portfolios longer, in order to continue distributing the patronage to their friends. Then we have not only

the Tory Gazette, but we have the Ottawa Citizen, in which I find the following:

The present Parliament has still more than a year of its term to run. If in the fall of 1916 the war is still going on, and no election has been held in the meantime, an appeal to the country will be desirable as well as necessary, because the conditions will be so grave that only a Parliament strong with a new mandate from the voters will be able to deal with them.

So we have two Tory papers saying that there can be no question of prolonging the term of Parliament, and that an election ought to be held in due time. Now I may say that certainly there are men who are not very anxious to have an election. There are men who are making money on account of this unfortunate war.

Hon. Mr. CLORAN—You bet. Hear, hear

Hon. Mr. CHOQUETTE—There are men making fortunes out of this war. I do not speak only of those having the patronage; I simply refer to an extract from the Wall Street Journal, which refers to a prospectus sent out by Sir Henry Pellatt, Toronto. I do not know and do not care to which party he belongs.

Hon. Mr. CLORAN—He is a Tory.

Hon. Mr. CHOQUETTE—He is the president of the Steel and Radiation Co. of Canada, and in a prospectus sent out by the company we find the following:

"Some concrete idea of the profits will be derived from the sale of war munitions in this country may reasonably be inferred from the figures submitted in a confidential report made by Colonel Sir Henry M. Pellatt, president of Steel and Radiation Limited of Canada. This company has an outstanding capitalization of $3,626,400. It is on hand or in immediate prospect contracts amounting to $2,060,000. From these contracts it is estimated that profits of $1,050,000 will be realized, or practically 50 per cent on the outstanding capitalization.

"Steel and Radiation contracts include 200,000 of 18-pound shrapnel shells (the cases only) at $3.80 total $760,000, on which the profit is placed at $400,000; 200,000 high explosive shells at $4, total $800,000, with profit of $400,000; 50,000 shells of six-inch diameter (100 pounds) shells at $10, total $500,000, with profit of $250,000.

"While Steel and Radiation, Limited, has a plant and equipment ranking among the best in Canada, it is not unreasonable to suppose that the active plants in the United States are equally as efficient.

"The directorate of Steel and Radiation, Limited, includes Colonel Sir Henry M. Pellatt president; Colonel Sir John M. Gibson, Sir William Mackenzie, Hubert M. McCrea, Samuel Trees, Lieut.-Col. Reginald Pellatt, Gordon Perry Thomas Southworth, and Sir George Armstrong."

So we see that while all these gentlemen boast of their loyalty there is not one one of them going to the front. They are colonels with golden epaulets, but not one of them is going to the front. They are making shells to kill the poor fellows on the firing line, and they are asking young men of this country to go to the war. I understand why these men are anxious that the war shall continue, but gentlemen like myself, who do not believe in war, are anxious for peace. We do not believe in sending men to be killed. Do hon. gentlemen think I am alone in that opinion? Consult the people and ask them if they want this state of things to continue longer, and you will get the answer very quickly. I understand these lieutenant-colonels and officers who are not going to the war are either too old or too cowardly to go, and they are getting orders and making 50 per cent profit on supplying war materials. If the people of the country are willing to accept that I am willing to abide by their decision. If you go to the country and ask a mandate from the people, and the people want it, well and good, but without that I shall not give my consent. So far I am positively and strongly against accepting the resolution to extend the life of Parliament. There is no reason why it should be extended. To the contrary, as the Gazette and Citizen say, in this critical time, when the Government is asking for 500,000 men, where this Parliament is bound, as it was said at Portage la Prairie by the Solicitor General, to plunge the country in bankruptcy, to spend the last cent in the war and send the last man over to fight for England, I say that this Parliament elected in 1911, is doing the very contrary of their declaration and have no right to give the Government and themselves a longer life than the electors have given them. I may be alone in my views, but I stand by them. I say that the immense amount of money required to finance the war and the immense number of lives which are going to be sacrificed are the principal reasons why we should ask those who are going to pay and those who are going to be killed if they are willing to make such a sacrifice. I repeat I am opposed to all these things, but if the majority of the people of this country are willing to accept such a policy I have not a word to say. If they are willing to spend more money and sacrifice more lives to continue the war, well and good. I condemn also some parties who are asking people, under the colour of patriotism, to go and fight for

the country, but do not want their sons, or sons-in-law, or brothers to go to the war. I shall never try to persuade any man not to enlist, or not to go to the war. If a man told me he wished to go to the war, I would shake hands with him and say, "bravo," but I would not advise others to go to war without going myself or sending those who are near to me.

Hon. Mr. POIRIER—Is the hon. gentleman against conscription?

Hon. Mr. CHOQUETTE—I am against conscription. If the war is to be fought to the last, ask the people of this Dominion whether you are to go on and expend the public money and sacrifice the lives of our people. We do not want conscription in Quebec any more than elsewhere. We have the declaration in the British Parliament that they are obliged to pass laws to prevent men escaping from the United Kingdom to Canada, or getting married to avoid going to war. I will show in a minute what they have done in the province of Quebec in regard to that. The position is such a serious one that I may be pardoned by the House for speaking at such length, because for some special reason I may not be here when the debate on this question is held, and I take this opportunity to put my views on record. Furthermore, Canada is paying all the expense of its participation in the war. If those people are in favor of sending more men, naturally they are willing to pay for them, but as soon as they are sent away from here and put under the command of English colonels and generals, the British Government ought to assume the payment of them. I find, however, in looking over the speeches delivered in the House yesterday by the Finance Minister, that Canada is bearing the entire burden, not only here but on the other side. We are not only paying for the carriage of soldiers who have left this shore to go to the other side, but are paying for English officers, and I saw in the Star, of Montreal, of January 8th that Col Seeley and Sir Max Aitkin are entered as being paid by the Canadian Government for duties performed by them. We have men just as good, if not better than Col. Seeley and Sir Max Aitkin. I do not know these gentlemen, but we have not heard of them being in any very important battle. At any rate they are there. I do not object to their being paid by the British Government, but I do object to have them paid by us. How is it that we not only pay for men and soldiers, and all the expenses for the wives of the soldiers, but also for British generals and brigadiers? A lot of men from England are crossing to this country to be enlisted as Canadian soldiers. They do not enlist in England, but enlist here because they are paid by the Canadian Government four or five times more than is paid by the British Government.

Hon. Mr. CLORAN—Three times as much.

Hon. Mr. WATSON—I take exception, not to the statement as to the pay, but to the statement that Englishmen came over here for the purpose of enlisting.

Hon. Mr. CHOQUETTE—I accept the correction; but I am informed that 80 per cent. of the first contingent were English soldiers.

Hon. Mr. WATSON—Yes, resident in Canada.

Hon. Mr. CHOQUETTE—They enlist here because the pay is three or four times what it is in England, and I read a statement recently that in England they are going to pass laws to prevent young unmarried men emigrating to Australia, Canada or the Jersey Islands for the purpose of enlisting, or perhaps to hide themselves. If they emigrate for the purpose of enlisting, it can only be because the pay is more than they would receive from the Government of Great Britain. Now, we have been accused in Quebec of not doing our share. I do not intend to go far into this matter, but I wish to place before this House a few facts to show that in the first place it is not true that the French Canadians, or Acadians, or French population in general, have not done all they could do in furnishing men, working for the patriotic fund, or anything pertaining to the war, and I thank General Hughes for having defended the province from which I come, though I do not like to see Quebec defended, because there is no necessity for it. When we defend a man and say he is honest and religious, it is because there is a doubt on the subject. No man ought to be defended for his honesty, religion or loyalty. I resent that. We do not want to be defended, but we want the facts to be known. I thank General Hughes for having said lately that Quebec has done more than its share. Quebec has given a great many men for the front, and in a certain English battalion you will find nearly one-third of French

descent, and one of the last lists sent out from England of wounded soldiers shows 30 or 35 French Canadians injured. Therefore the percentage of French Canadians in the battalion is very large. Then look at what has been done in the other provinces. Has Ontario done its share? If I remember right, I have read a fervent appeal by the hon. gentleman from North Grey to the Orangemen, saying that they are not enlisting in sufficient numbers, and he called upon loyal men to enlist, saying it was a shame they were not doing more. I see in the Chronicle of Quebec, a despatch from Stratford, Perth County, Ontario, July 23rd, the following:

Stratford, Ont., July 23—Of the 101 recruits so far signed up here for the fourth Canadian contingent, but 21 are Canadian born. Over fifty per cent of the men are natives of England.

Natives of England? How is that? We hear of men all over Ontario waving the flag for the Empire and liberty, just as we hear from Col. Pellatt, they wave the purse too, and as between the flag and the purse, Ontario is looking, judging by the above, for the purse more than the flag. I observe, also, in a paper published in Gloucester, N.B., called the Gloucester Northern Lights of Bathurst, which my hon. friend from Shediac must know, the following:

"Les autorités militaires du Nouveau-Brunswick expriment leur surprise de voir que, dans cette province, les jeunes gens de langue anglaise répondent de manière peu satisfaisante aux demandes de volontaires pour service outremer. Dans les premier et second corps expéditionnaires, l'enrégimentation de langue anglaise a été plutôt pauvre ("the showing of the English speaking people was poor enough") mais, dans le recrutement du corps expéditionnaire, la part des gens de langue anglaise a été moindre encore qu'on s'y attendait naturellement. Des 700 hommes enrégimentés jusqu'ici dans le 55ème bataillon, plus de 60 pour cent sont de langue française, bien que, dans cette province-ci, les gens de langue anglaise forment les deux tiers de la population. A Bathurst même 25 hommes se sont inscrits comme volontaires dans le 55ème, dont 2 seulement de langue anglaise."

That would show that the French and Acadians did do their duty. I do not ask my fellow men to enlist; when they tell me they are going to do so, I shake hands with them, congratulate them, but I do not want them to go by conscription. I know they will go without conscription. In the case I have mentioned, out of 25 men only two were of English nationality. Is that a fair share? No. But we do not throw mud in the face of England; that is their affair; this is a free country; they have a right to enlist or not; but when Ontario papers say that the French do not do their duty they lie and abuse us. They gain nothing by that. It is much better to promote unity among the races and religions and respect the rights of the French minority in Ontario, and not trample upon the constitution by taking the control of the schools from trustees elected by the people and placing it in the hands of a commission, a commission illegally appointed by the local government. If they would do as we do in Quebec we would have more faith in their desire to uphold the unity of the Empire. Then I might quote also words from Sir Robert Baden-Powell: entitled "England's National Disgrace," on the subject of enlistment. He says that young men are not enlisting but are going to the clubs and cafés, to the races and the football matches rather than to fight for England. That is the expression of Baden-Powell, the head of the scout movement; and he goes on to speak of the national inefficiency, about the loafing and selfishness of young men so widely prevalent as to be a national disgrace in a time of national emergency. I would not like to treat the English people like that; I am too loyal for that; I have too much respect for them in a free land. There is no conscription; they are free to go or not. But when I find a man speaking like that, I say it is not right to speak about the French in Quebec as has been done. I might also say the very same in reference to Mr. Doyle, ex-Vice President of the Royal Securities Corporation, who says that the English ought to do more. I give these facts in order to place on every citizen and every member of this House his proper share of responsibility. We very often hear speeches—we heard one last week in Quebec—that we naturally cannot approve of. Some men go too far. I must blame some of the Nationalists, the ex-partners of the present members of Government, for speaking out as they do. They continue to speak as they did in 1911, pushed on in the fight by the money of Mr. Ames. We must disapprove part of those speeches though they are a repetition of some made by present members of the Government. They are going too far; they are hurting themselves, and we ask the English people not to take the words of those men as representing the opinion of Quebec. I must admit that those men are sincere because they continue to speak as they used to speak in the presence

of the Tory leaders who were helping them in 1910 and 1911. At that time everything was good: whether against the Empire or not, whether against England, the flag, or not—and their motto was "We have to put down Laurier," and Tories were using those men to fight Laurier; and helping them with money. Now those men are continuing their work, which is regrettable; but I must confess that they are at least consistent, blaming rightly now some of the ministers, as Hon. Messrs Blondin, Patenaude and other members of this Government who are waving the flag and shouting for the Empire, when, some years ago, to gain power, they were trampling on that very flag. It is all right to shout for the Empire, and I am willing to give them all the assistance we can, provided they are entitled to it. But those Nationalists, who are sometimes called Liberals, and sometimes rebels and traitors, are not the only men who are rebels; they are not so much so as the men mentioned in the quotation I have read from the Montreal Gazette. I find in that paper of the 4th September, 1915, an interview given by Sir Henry Holt, President of the Royal Bank, prominent in business, prominent in the Tory party, when he was just disembarking from a boat where he had left the Prime Minister, Sir Robert Borden. and Mr. Bennett, from Calgary, having made the trip across the ocean with them. They must have spoken on the boat about the result of what they had seen in England. Mr. Holt says he had been in Flanders and in France, and when he came back to Montreal what did he say. These words are worthy to be put here to show that, appearing as they did in a Tory paper like the Gazette, the organ of the Government, and uttered just after leaving the Prime Minister of this country and Mr. Bennett, one of the leading men of the Tory party, just coming from England, they must be true, and I am sorry for England; or, if not, Mr. Holt is a rebel and a traitor.

England's Need, a Strong Leader, says Sir H. Holt.

Man of Iron who will Resist the Corroding Effects of Politics.

One who will be Obeyed.

Balance of Power and Great Fighting Force Largely Nullified through Lack of Support.

"We have the balance of power; we have the finest men at the front that you could find in the world—men who are fit for anything and fifty per cent superior to their foes; but until a strong man is found in England to control the situation and direct the course of the business end of the war—a man of iron, absolutely implacable and able to resist the corroding effects of politics, which eat their sinister way into the public life of the mother country—we will never win this war."

Sir Herbert Holt, president of the Royal Bank and of the Montreal Light, Heat and Power Company, returns from a visit to England and to the battle front in France, convinced, first, that there is the most tragical non-understanding of the vast and terrible issues of the war, as this affects not merely the British Empire, but the world; second, that we have the finest fighting force it is possible to imagine but that their efforts are largely nullified through lack of proper support; third, that there has been the most fatal muddling as respects the business end of the war, which is of such vital moment, as the Germans have shown us; fourth, that one man must emerge—one man who will be obeyed, who will take hold of the threads of interests and manipulate them, not interfering with the military leaders, but doing everything in the way of organization as well as, if not better, than the Germans have done it—a man who will be disinterested and sink all personal preferences, which has not been done in England, even among those "high up;" fifth, that the overseas dominions, which have contributed of their best, and which have enlarged views, as contra-distinguished from narrow and insular views, which are too prevalent at the heart of Empire, must be taken into the war councils of the Empire, to give of their thought and feeling and plan in this awful crisis, the gravity of which is so poorly understood.

Sir Herbert is not, at the same time, a pessimist in the sense that he doubts the ability of the Empire to win out. He is simply speaking, as he said, as a Britisher who desired that the best effort should be made to fight as the Germans are fighting, as a great and supreme business.

"How, Sir Herbert, are the people of England taking this war?"

"They are taking it lightly and non-understandingly."

"Is it possible that after twelve months of it, they do not realize its terrible import?"

"It is the plain fact."

"What do you think is the reason?"

Politics rotten.

"Politics for one thing," was the answer.

"You may think our politics bad enough," said Sir Herbert, speaking with great earnestness, "but the politics of the mother country are absolutely rotten. Even the men higher up are thinking about politics and positions and votes. They are moved by political affiliations. At so awful a moment they are thinking of placating this or that element among the voters. Even the very highest in the state are not indifferent to these sordid and petty and personal considerations."

"Then, there is the lack of appreciation of the nature and issues of the world contest?"

"I spoke to many about the outcome," proceeded Sir Herbert. "I was told that we would muddle through it. We would come out all right—somehow, some time. That was my answer. And this muddling along answers to past experience. We muddled along in the Soudan campaign for years, and then we sacrificed Gordon. We muddled along in the Boer war for years; and now we are muddling along in this stupendous struggle in respect of

which I may say that every smallest bit of fighting is bigger than Waterloo—Waterloo—did I say?—bigger than Gettysburg.".

"Well, but surely in Kitchener we have the strong man?"

"This is the most tragical thing of all," replied Sir Herbert. "There was Kitchener—sublimated and glorified. He emerged at the moment, but he has proved a dismal failure. He had some ability—but a small ability, mark you, as an organizer; but he has been a grievous disappointment.

"The War Office was and is rotten; and he tolerated and kept it on, instead of rooting it out. He called for men instead of conscription. Of course he knew that conscription was opposed to British genius. Yes, ordinarily, you would not have conscription; but this is a supreme crisis, and under conscription the Kaiser could have his millions from the school boy to the old men, all obeying one master mind.

"Well, he asked for volunteers and got them; but what was the use of men when you have not munitions? Now, two days after the war was declared the British saw that it was munitions. It was not so much men or rifles, but high explosives and big guns, which were to count. Why did we not put ourselves on a parity with the enemy? It is true that fighting is not the business of England; but she was at war with a military power, and her business was to meet the enemy on equality. We were told by Mr. Asquith in March last that the matter of munitions would be attended to. Has it been attended to yet? We are getting plenty of men, I know, and splendid fellows they are; but what is the good of sending men to the front when you don't equip them? The men are losing their lives and they have not the right kind of weapons with which to fight. It is pure imbecility."

Sir Herbert paid a high compliment to the Navy, which was doing well and which had acted heroically when called upon, and if that adventure at the Dardanelles had not turned out as successfully as yet, it was not the fault of the Navy itself, but of others. But it was the direction of the army that was open to criticism.

'Not the army officers; not those in supreme military command, but the want of business methods applied to the furnishing of the army.

'Fighting men are not business men. What is wanted in England is business genius and instinct. Take a single instance. We have the Army Service Corps and the Army Medical Corps—excellent organizations.

'Why did we not, at the fighting lines in France, build light railway lines to transport the materials, and the necessary things instead of using hundreds and thousands of motor trucks at great cost and loss of time? But you know, I suppose, the reason. The British railway terminals are as fixed as the laws of the Medes and the Persians. It has entered into no man's head that they could be extended. If we had built the Canadian Pacific railway in that immobile way, where would we be today?

"They say in England 'Business as usual,'" continued Sir Herbert. 'Is that not awful 'Business as usual,' and the Empire, nay, civilization, at stake? There is only one supreme thing, or should be—and that is to win the victory from an implacable foe who makes a business of war. No man in England large enough or with genius enough has arisen to the height of the situation.'

'Many supposed that the coalition government would give strength of direction and initiative?'

'Not at all. Of course, there are good men in the new government, but they are not practical enough. They have not business genius. The only man who approximates to this ideal man required, from the point of view of power of organization, is Mr. Lloyd George. Of course, Mr. Balfour is an able man, but he has not that large practicality which is so urgently required at the moment. Mr. Bonar Law is also a good man; but there is none of them able to master the business feature of war adequately.'

'Take another instance of muddle,' said Sir Herbert. 'Two mere lads from the training schools are put in charge of men—excellent lads, no doubt, but unfit for the duties imposed upon them. And why should this be? Because colonels of regiments want to remain unimpaired units. That is, they desire to retain their officers instead of having these officers employed training the younger men for the position of subsequent command; and thus diffuse proper military knowledge.'

Sir Herbert went to the front. He saw a vast surface, scarred beyond belief, and hardly on that surface a single man. The Germans, looking for the British on the surface of the earth, could not discover them, and vice versa.

'Why? Because they were all burrowed in the trenches.'

'What will ever get them out?'

Shrapnel not the need.

'High explosives, and we are still making shrapnel, even in Canada, I understand.'

'But our fellows are fine—there is no mistake. They are fit for anything. If it were a case of man for man they would soon end this war in our favour. But it is a case of guns and more guns—why, the Germans have I do not know how many thousands of guns—and we have not got them—as yet, at least, that is the belief. What is the use of providing 3,000,000 men, as Kitchener is said to have done, if you have not equipment for them? If I knocked you down with a club, what chance would you have against me?'

Sir Herbert saw in France and Flanders the women and old men saving the harvest, and saving it well; but he did not see any women in the fields in England. In France they realized what the war meant. In England they did not, yet. Life in England generally, and in London, in particular, went on pretty much as usual.

If the truth of the situation was realized, there would be no slackers in England, nor would there be striking miners, who got, by the way, some fifteen shillings a day now, while the fine young fellows at the front were fighting for one shilling and fourpence. Why should men at home be allowed to strike and minimize the efforts of the men at the front? How long would that be tolerated in Germany?

'That is the trouble,' said Sir Herbert. 'We want a great business organization in the hands of one strong man, who has not been produced. You know how narrow and insular the average Englishman is when he comes out here. You

also know how he gets broadened out after a while. Well, in England the view is the narrow view, not the broad view of the Dominion overseas.'

Referring to our bountiful crop, Sir Herbert said that he did not think there would be any difficulty in getting bottoms—at least that could be arranged, while as for price, of course, it must be remembered that England could not get the wheat from Russia that she was in the habit of getting—at least, not yet, and that she would then turn to Canada.

As to the lowering of the rate of exchange, it was to be observed that that rate was enhanced yesterday. Had not the tag of the income tax been put upon the recent war loan, hundreds of millions would have been subscribed on this side and thus a proper credit would have been set up. However, the rate would right itself without much trouble.

I am reading this because it is worthy to be put down as the opinion of a prominent man and to defend the opinions of others who have just as much right as Mr. Holt has to put their views before the country. I repeat there has never been a word of blame from the Gazette, from the leader of the Government, from any Tory organizer, or from Sir Herbert Ames, of Montreal, the head of the Nationalist party in the election of 1911, for these expressions of Mr. Holt. Those are the facts. This is the position of this country as described by the men I am quoting from. The Daily Mail of London, England, contains articles just as strong as the words of Mr. Holt, and I can cite many English members of Parliament and Lords who spoke in the same strain.

I am afraid that the words of Lloyd George in the House of Commons a few weeks ago are too true, that the fateful words which had dogged the steps of the Allies were—"too late." It may be, perhaps, too late, but I hope not. I hope that with the help of those who are willing to sacrifice their lives by going into the trenches in Flanders we will come out all right, and those who have been criticising Quebec will have to take back a lot they have said about our people. In the Gazette of December 18 last I find a letter signed by one Mr. Peterson, who had the audacity—I use the word advisedly—although he had not protested against the interview published in the Gazette with Sir Herbert Holt—to say that Mr. Bourassa may be arrested for what he wrote. Perhaps Mr. Peterson was right in drawing attention to Mr. Bourassa—and perhaps Mr. Bourassa was wrong——I did not read what he said at the time—but I have never read anything from Mr. Bourassa's pen that was as violent as what Sir Herbert Holt had said. Mr. Peterson is supposed to be a friend of Mr. Holt, and must have dined with him some day in the week; but how is it that Mr. Peterson has never written that he may or ought to be arrested and never said a word about this interview? Yet Mr. Peterson writes a letter saying that Mr. Bourassa is guilty, I might say of treason, but he had not a word of blame for Mr. Holt, for Lord Northcliffe, for Mr. Carson, who is to a certain extent responsible for this war on account of the attitude he took? So I say that it would be unfair to blame Mr. Bourassa when he is not willing to blame Mr. Holt, who said ten times more. In quoting this interview with Mr. Holt I do not wish it to be understood that I consider it quite true. I know nothing of what Mr. Holt spoke about, but I use it to show how unfair it is to blame other men, especially Frenchmen, who may hold views not so exaggerated and not so violent as Mr. Holt's as published in the Gazette. Now in Ontario it is said that the French asking for their rights in that province are resorting to a sort of blackmail; that they will only enlist if their rights to their schools and their language in Ontario are protected. I have read that in a newspaper. Well, that is all bosh, if the expression is parliamentary. A contract is always an agreement between two parties, and one of the parties may say, do you wish me to do this for you? If so, you should be just, and first give me justice. What did we see in England when the question of Home Rule was before Parliament? Mr. Carson was prepared to bring on civil war to prevent home rule from passing.

Hon. Mr. CLORAN—Not prepared; he did it.

Hon. Mr. CHOQUETTE—Buying guns from Germany and organizing to fight Home Rule.

Hon. Mr. CLORAN—To fight the King.

Hon. Mr. CHOQUETTE—To fight the King when the King was going to sign the Home Rule Bill. How is it that England did nothing on that occasion? How is it that General French was sent to command the troops and proved a failure there? French was the man who wrote letters to Carson saying that if civil war should break out the English troops would not be called upon to fire on Carson's men. He was surely one of those to whom Mr Holt was alluding. But now there is another Bill

before the British Parliament. They are going to pass a Conscription Act. What was the bargain? No—bargain is a bad expression—what were the negotiations between the Irish people and the Government. The Nationalists were against conscription, but they said, "We are willing to permit the Bill to pass if you will exclude Ireland, and so on." That is a negotiation; there is no blackmailing there. In Quebec there are some men who say to Ontario: "You are trampling on the constitution to deprive us of our right, of our liberty, of our language, and before asking a favour of us the least you can do is to give us justice." I must en passant congratulate the honourable Speaker of this House on the stand he took on this question, also my hon. friend Hon. Mr. Belcourt, of Ottawa, for the stand he took constitutionally, legally, and sentimentally—if necessary to say that—on this question. On the other hand, I protest against the expression of some yellow papers in Toronto saying that it was an attempt to bargain. I have the right to say to a man who asks me for a favour, "I am willing to help you, but the least you can do is not to trample on my rights, and to do me justice."

Hon. Mr. DAVID—What have England and France to do with the school question?

Hon. Mr. CHOQUETTE—The question I am now speaking about is enlistment in Quebec; I did not say a word about France. I was answering Ontario papers that are abusing us. My hon. friend, who is supposed in words at least, to be ready to fight for the language and for provincial rights and liberty, should be the first to support me and say that I am right. Now, my hon. friend the leader of the Government yesterday said that we might be invaded by the Germans from the United States, that there is a menace from the United States; that if Germany is victorious we may not be free. I hope Germany will never be victorious, and that the Allies will be successful in the end, notwithstanding the words of Lloyd George "too late;" but I make this argument to show that many are of the opinion that, according to the constitution, our soldiers and our money ought to be kept in this country to defend ourselves. I say if it is true, as the hon. leader said, that Germany might come here and try to invade and conquer Canada—if it is a fact that we may be in danger, that is a good argument for saying, "Then keep our soldiers here, keep our money to defend ourselves." Though I am sure, even if by any possibility Germany should be victorious, there is no danger of them coming into Canada. They would be too friendly with the United States, and it might happen that we would become independent, as Belgium was before the war, or join the United States. But that is not the question; we are glad to be as we are, and we desire to stay as we are, loyal to England, and loyal especially to Canada. But I repeat that if, as a fact, there is danger of invasion from the United States, that may be good reason to argue that we ought to keep our men, our army, in Canada in case of danger, and then those who are supporting that view ought not to be abused and called names.

In dealing with these two subjects in the Speech from the Throne, I have unfortunately taken up some side issues and too much time; but as to the two items I would repeat that I am strongly opposed to extending for one minute the term of this Parliament, for the reasons I have given; and I agree with the Gazette and the Citizen that you have no mandate to raise in this country a force of 500,000 men and spend hundreds of millions of dollars without going back to the people and asking them if they favour such a policy. If the majority of the people give you carte blanche I shall be the first to vote all the millions necessary and help you to raise all the men you want; but I say that you have no mandate to do that. On the contrary, the present Government was elected to oppose the very action they are taking now. On the whole, having frankly and honestly expressed my views, I protest against all those who would say I have uttered a word which is unbecoming to a true and loyal citizen and elector of this Dominion.

Hon. Mr. CLORAN—I want to move the adjournment of the debate.

Several hon. GENTLEMEN—No, no.

Hon. Mr. BELCOURT—Hon. gentlemen ——

Hon. Mr. CLORAN—I had the floor before anybody else. If you decide against me, my eyesight is no good.

Hon. Mr. SPEAKER—I caught the eye of the hon. member from Ottawa.

Hon. Mr. BELCOURT—I am bound to say that I had not the slightest intention

to take part in the debate on the Address in reply to the Speech from the Throne.

Hon. Mr. CLORAN—Yes, but you got the Speaker's eye.

Hon. Mr. BELCOURT—If I am on my feet now it is because I am impelled to do so as a protest against the speech to which we have just listened. I do not know of any one single thing that has been said by my hon. friend from Grandville with which I agree, or rather from which I do not thoroughly dissent. I might perhaps qualify that and say that the only observation my hon. friend has made with which I agree is his own remark that his speech carried him too far. Let me first extend my individual congratulations to those who have already been offered such congratulations, my hon. friend who moved and my hon. friend who seconded the Address. They have done so in a way which was expected of them, in a way that is creditable to them, and at the same time very hopefully for the future usefulness of those hon. gentlemen in this House. I welcome their advent to the Senate, and I welcome also the advent of the other two gentlemen who were sworn in on the first day. In rising to reply to the speech which was delivered by my hon. friend from Grandville, I perhaps presume more than I should, because I propose to speak very largely, not only for myself, but for all those of French speech in the Senate, and I hope that what I shall say, in fact I have good reason to believe that what I shall say will meet with the approval of my French compatriots who with myself have the honour of holding seats in this House, whether they sit on this side or the other side of the House. If I presume too much I shall ask them to tell me so later on.

Hon. Mr. CLORAN—Why not the English?

Hon. Mr. BELCOURT—I am sure that every hon. member of this House, as well as the ladies and gentlemen who were privileged to hear it, noticed with what unusual solemnity and emotion the royal representative of the Crown read the speech which the ministers of the day had prepared for him and more especially that part of it having reference to the present world war. And in doing so I think His Royal Highness was merely the echo of the feelings of Canadians, wherever they live, whether on the Atlantic or the Pacific, in whatever province they may reside. The speech from the Throne, delivered, as I say, with unusual solemnity and emotion, was only the echo of what was uppermost in our minds, and was down deepest in our hearts —that is, our supreme, our paramount concern in the gigantic war, which at this time is engaging on one side all the forces of civilization, and on the other all the destructive agencies of anti-civilization. I felt when the speech was being read that every one present would, if allowed the opportunity, have applauded, and expressed to His Royal Highness the conviction that he was also expressing his own sentiment. The hon. gentleman from Grandville has covered a great deal of ground, a great deal of irrelevant and mischievious ground. In the very few moments I propose to occupy addresing the Senate it will be impossibde for me to go over the whole of his speech. In any case it is of no great consequence that one should do so. He has said many things with which we, or nearly all of us, disagree, things which are most thoughtless, puerile and inconsistent. The latter part of his speech, it seemed to me, may not have been intended, but it would have the result at all events of practically destroying what he had said before. The hon. gentleman took considerable time in trying to prove to us—and he might as well try to prove that two and two make five—that the responsibility of the war was with England. I never heard anybody else with sense in his head make that statement. Why, for days and days Sir Ed. Grey refused to make the declaration of war when Germany was hoping that England would declare war. He exhausted every effort that ingenuity, patience and long-protracted foreign experience gave him to prevent war taking place, and yet we have an hon. gentleman in this House who has been in public life for years, making the statement that the responsibility was at Englnad's door The proposition is so absurd, and the falsity of it so absolutely demonstrated, that it is almost a waste of time to argue to the contrary. What would any of us have thought, what would any man who is accustomed to British freedom and liberty, and British honour and dignity, and British traditions and British practice have thought if England had not come to the rescue of little Belgium, if England had

not kept her word in that treaty which the Kaiser broke? What would every one of us have thought if England had not done what she did? We were all expecting that England would declare war, and there was only one feeling among all the lovers of the Empire when England did declare war with Germany. And what about France? Outside of the treaty obligation of England, what would the British Empire and the world have thought if England had stood by and allowed France to be crushed under the German heel? Why, England, not without right, has been reproached for not having interfered in the Franco-German war of 1870. And is there anybody to-day in the British Empire who is not convinced that if Great Britain had known in 1870 what she knows to-day, that England would not have interfered then and prevented Germany from crushing France? No doubt about it. England would not make the mistake again, for it was a mistake. England was bound by every sentiment of honour to come to the rescue of France, and it was not only bound to do so in honour, but for its own sake. For the defence of its very existence, England was bound to declare war on Germany, and England was and is bound to-day, and so is every one of us, to exert our greatest efforts to put forth all that we have, to fight not only for England, not only for France, Belgium, England and Russia, but for civilization for the freedom of the world, for that is what this war means. The very existence of civilization is at stake, and yet we have gentlemen in this House and in other places for hours indulging in sophistry, political controversy and party talk, when the thief is at the door, the worst, and the cruelest, and the boldest and the most dangerous thief we could have. They stand here at such a critical time and argue only and exclusively about our domestic troubles and difficulties, My hon. friend from Grandville thought he would appeal to me by complimenting me on a question which, unfortunately, has been and is still greatly agitating the city of Ottawa and the province of Ontario—the question of the French language in the schools of Ontario. As the hon. gentleman from Mille Isle asked him, what has the school question in Ontario to do with France and Belgium? I in turn ask the hon. gentleman what the school question has to do with France and Belgium. Nay more, what has it got to do with London, or England. What has the Government at Westminster to do with this question? I for one do not think that those responsible for the conduct of affairs at Westminster are going to approve for one moment of what is being done by those responsible for the affairs of this province. How unfair, how foolish to endeavour to hold the government of the Empire responsible for what small politicians are doing in Toronto, and especially as the doings of the latter have not as yet been brought to the attention of the advisors of the party at Westminster. What has that to do with us? I repeat, when the thief is at the door it is no time to indulge in disputations, controversy and splitting of hairs. The common-sense, logical thing to do is to drive the thief away, and when he has been driven away settle the domestic question. I am prepared for the moment to do all I can. I think I have done it so far, and I am prepared to continue to do it, and to advise my neighbours to do it, and as we accomplish our duty, we can settle our domestic troubles. I for one am not going to give up for one single moment the defence of the rights of the French language in Ontario. I am not inspired or led by political motives, as has been charged, and the fight in Ontario for the language of my ancestors is for the language itself. It is because I love my mother tongue; it is because I know my mother tongue has been one of the greatest, if not the greatest, agents for the diffusion of science, of art, of civilization. I want it preserved because it is one of the great assets of the world. And I am going to fight for it, and continue to do so as long and as faithfully as I can and know how, but each thing in its own time and place. What we have to fight to-day is the greatest danger that civilization probably will ever encounter. We have to-day the gigantic task of putting an end to Prussian militarism and preventing German hegemony over the world. My hon. friend said—and I think it was one of his last words—why not be as we are and for that reason let us stay here. Could anything be more childish or puerile than that statement? If my hon. friend knows anything he must realize that his property, his liberty, his freedom, his very existence in this country is at stake this moment, and that if Germany should be victorious in Flanders his property and freedom will be done away with. He talks about re-

lying upon the United States. He did not mention it, but I imagine he is prepared to rely on the Monroe doctrine. That is a broken reed, and even if it were not, I for one do not wish to rely upon it. I want to rely on the pure manhood of our people, and I want Canada to take its full share in this war in order that it may have its full share in the honour and glory of victory, and on that very subject I am sure there are a great many gentlemen who live on the other side of the line, who when this war will be over, and when they see that all their people will get out of it is dollars, will be very sorry indeed that that is their only share in the gigantic struggle, and that the great measure of honour and glory that they might have obtained from it is left to others. I received only this morning a letter, which I would have brought with me, had I known I was going to take part in this debate, a letter from a gentleman in New York, an official of the New York Peace Society, which illustrates the very sentiment of which I am speaking. He said that he personally would be very glad indeed if the opportunity were afforded him of taking part in this war, and he wound up by saying that he rejoiced there is one country in North America which is doing its duty in this matter. I think there are a great many of our cousins across the line who entertain the same opinion. Referring to the Monroe doctrine, how long would it serve or avail if France were crushed and England conquered? How long would the Atlantic sea ports, New York, Philadelphia, etc., last? I make these statements in order to show the absurdity, inanity and puerility of such remarks as we have heard to-day. Mr. Blondin, Mr. Patenaude, and others of the Nationalists, who were our opponents at the last election, who chose to indulge in unpatriotic, dangerous and treasonable talk, I hope will have to account for their statements.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. BELCOURT—I am sure that some day this country will call these gentlemen to account, and I do not think their declarations of to-day will absolve them. To me it is one of the greatest scandals, one of the greatest miscarriages of public justice that these men have escaped punishment for their wild and treasonable utterances and that they should by the government of the day be given positions of trust and honour. Some day or other, sooner or later, these men will have to account for the speeches they made four or five years ago and the government who have taken them into its community will also have to answer the people.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. BELCOURT—But that is neither here nor there. There is a time and place for that. What we have to do to-day is to contribute all we can in men and money to put an end to the war. We are in honour bound to do it, because we are a part of the British Empire; but if you will not put it on that ground, then for selfish reasons, because our very existence as a colony of Great Britain is at stake. Whether we are to send 250,000 or 500,000 men I do not know, but I do say that our contribution should be limited only by the necessities of the case, and our own capacity. I would make a poor soldier as I have had poor health all my life, but if the time comes, I, and even those like myself who have not enjoyed good health, should be prepared to shoulder rifles to defend our homes and property and our flag. I for one am prepared to do it. I do not know how long I could last, but I would make the attempt, and that is the spirit which should dominate us to-day in Canada. My hon. friend fronm Grandville spoke of war profiteering. Some men have unfairly, unjustly, and improperly derived profits out of war contracts, but does that absolve him from doing his duty? Since when has the wrong-doing of one man been considered an excuse for another man not doing his duty? If Sir Henry Pellatt and others have derived profits from the war, if any man has taken advantage of the war to make profit, he is not entitled to keep it, and I earnestly hope the Government will soon find a means of making those men hand back every cent obtained in that way. When you and I and the rest of us are putting our hands deep in our pockets and subscribing all the money we can to help families dependent upon those who have gone to the war, I say it is a scandal (and I am sure every honourable man in this House will feel the way I do) that some men should be allowed to make huge profits, or any kind of profit at all out of this war, and I hope the time will soon arrive when they will have to disgorge. My hon. friend also spoke of Quebec and OnOtario and New Brunswick

and quoted figures to show the percentage of this nationality or that nationality, that had enlisted. What have we to do with that? Why these invidious comparisons? There may be hundreds of reasons why one part of the country is in a position to do better than another. There is not going to be any conscription in this country. There is no need of it, there is no legal obligation to serve. So why should we scrutinize, and inquire why this one and the other one has not gone? We know that there has been a generous response on the whole to the call of duty and we have good reason to believe that manhood of Canada will continue to assert itself. Why should I ask my hon. friend at my right why he has not gone to the war? That is not going to help matters. Though he is not going to the war I know he is patriotic, and has sent his two sons to the front, and they are fighting there. My hon. friend who sits behind me has no son to send to the war, but I know he has done his duty, and if I did not know it I would assume that he had done his duty. I must assume that if New Brunswick has not sent men to the war in the same proportion as other provinces there is some good reason for it. It is not that they are less loyal than I am; I know they are just as loyal. What is the good of all this talking? Let us do our duty without all these invidious, or odious, comparisons. As far as Quebec is concerned, I am quite sure that the province is bound to do and will do its duty. I have no mandate to speak for my French-Canadian friends of the province. I may have some right to speak for the French-Canadians of Ontario, as I especially represent them in this House. I think they have done their duty fairly well, I know that in Ottawa and the surrounding country the French-Canadians have done exceedingly well. I know they want to do their duty and feel as I do. This is not the time for argument, controversy, or dispute. This is not the time for words, but for deeds. I know they feel that way, and will do their duty, and are going to do it without insisting upon knowing at once how soon this question in which they are so deeply concerned is going to be settled. They have, as I say, an unlimited amount of confidence in the spirit of fair play and justice, which, after all, dominates in the British Empire, and they know, as I know, that if this question is not going to be settled tomorrow it is going to be settled very soon and in a way absolutely consistent with right and justice. At the moment it is our solemn duty to be up and doing everything we can. Let me conclude by repeating the words I used before: I hope there will be no limit whatever to the contribution of Canadians, either in men or money, except that which the necessities of the case impose and our own capacity warrants.

Hon. Mr. BOLDUC—It was not my intention to speak on the Address in reply to the speech from the Throne, but after the remarks made by the hon. gentleman from Grandville I thought it my duty to say a few words. I must say that I concur entirely with the remarks made by the hon. gentleman from Ottawa (Hon. Mr. Belcourt) in rebuke of the speech made by the hon. gentleman from Grandville. He has voiced the French opinion not only in Quebec, but in the whole Dominion. I do not want hon. gentlemen in the Senate who live outside the province of Quebec to be under the impression that if the hon. gentleman from Grandville spoke in the province of Quebec as he has spoken here in regard to the war public opinion would support him.

Yesterday we had the pleasure of hearing the speech of the hon. member from Montarville (Hon. Mr. Beaubien), the worthy successor of the great Mr. DeBoucherville, the man so respected and loved by both sides of the House. The hon. member for Montarville expressed the opinion of the whole province of Quebec. Notwithstanding the fact that we have a small minority amongst the Nationalists, who have tried to prevent the enlistment of the French-Canadians, I am proud to say that in the whole province of Quebec from one end to the other you see men ready to enlist. The little Nationalist party in the province of Quebec, of which the hon. member from Grandville says he is proud not to be a member—though by the way he spoke to-day I am satisfied he would be worthy to belong to that little party—instead of gaining ground, is losing every day. They are trying to create difficulties. They are hurling insults at the English-speaking majority of this country, calling them fanatics, Bosches, and all kinds of names, but the sober French-Canadian, the man who realizes the real state of things to-day, does not pay any attention to what they say. It will not prevent the enlistment of any French-Canadian who is truly loyal. They have tried to mix the school question to prevent the French-Canadians from enlisting, and

have said that if we could not have our rights in the different provinces of the Dominion, we were under no obligation to go into the trenches and help England. Hon. gentlemen, they know very well that what they said was against the interests of the French race. I contend that every loyal Canadian is bound to help England at present, and of the two great races in the Dominion, if there is one that is more bound to help England than the other, it is the French. Why? Because, instead of having only one mother country on the other side of the Atlantic, we have two mother countries. We cannot forget that we descend from the same ancestry as those brave Frenchmen who are fighting so bravely to-day that they are the wonder of the whole world. And when I hear these Nationalists say that on account of the bilingual difficulty in Ontario we ought not to go to the help of England, I say that when England decided to go into war it was for the sole purpose of protecting minorities; it was for the sole purpose of preventing Belgium from being overwhelmed; and when my hon. friend from Grandville says that the war was caused by England, I am at a loss to understand on what he bases his statement.

Hon. Mr. CHOQUETTE—I never said that.

Hon. Mr. BOLDUC—The hon. gentleman said that a little while ago.

Hon. Mr. CHOQUETTE—No.

Hon. Mr. BOLDUC—The proof that England was against going to war is that they did all they could to prevent it. I have read all the despatches which were published between Germany and England, and I must say that one of the greatest diplomats England ever had was Sir Edward Grey. He conducted that correspondence with the greatest ability, and if he had been able to prevent the war we are sure that a man of his ability would have done so. But it was no use; Germany had decided upon war. The killing of two men from Austria-Hungary was only a pretext. The central empires had been organizing for the last 45 years; they had been arming themselves, and thought that they could crush everybody that dared to oppose them. We must admit that they came very near to crushing France entirely. Having ruined Belgium, killing men, women and children, they nearly reached Paris, and came very near to exterminating France. Why is it that France was not crushed as Belgium was crushed? Because England came to her help; because, notwithstanding England's lack of preparation, they came with all the soldiers they had to the help of France. And now, hon. gentlemen, what has England done? When we are told that England is doing nothing, I ask why are we safe on this side of the Atlantic? How would we have fared without the powerful navy of England? The coasts of Canada would have been invaded; Canada by this time would probably have been in the hands of the Germans. Some will say that we would be protected by the Americans. It is childish to say such things, in my opinion, because if Germany could defeat England, France, Russia and Belgium, what resistance could the United States offer to a German invasion? However, it is idle to talk of it; and, as the hon. member for Ottawa has stated, I am proud enough to claim that we should defend ourselves, rather than ask the assistance of our neighbours. In the province of Quebec during the last election, accusations were hurled against some ministers, but I can say to-day that I am proud of our leaders on both sides of politics in the province of Quebec. I am proud of Sir Wilfrid Laurier, Lemieux, Casgrain, Sevigny, Blondin and all those men; they are acting loyally; they are doing their duty. Notwithstanding what they may have said in the past, when war was declared they said they would be loyal, and loyal they are. If we have domestic difficulties, is it for the minority to insult the majority, as the Nationalists are doing to-day? Is it not better, as has been stated by the hon. member for Ottawa, to wait to settle those differences after the war is over and peace has been signed? I say without hesitation that the minority in this Dominion have rights, and those rights will be championed with best hope of success by the French Canadians coming from the trenches in Europe, where they have shed their blood with the English, French and Belgians. I have spoken longer than I intended, but when we hear people saying that in the province of Quebec we are lacking in courage to enlist and try to help the Empire I feel it my duty to say that they are deceived. There is as much loyalty in the province of Quebec as there is in any part of the Dominion.

Hon. Mr. DANDURAND—I did not intend to participate in this debate, but the speech of my hon. friend from Grandville draws me to my feet; and since I am on my feet I must join with my colleagues in congratulating the mover and seconder of the Address upon the speeches they delivered, and to congratulate the House upon their presence among us—the House, and the Government as well; I should not forget their colleagues who accompanied them when they were introduced in this House at the opening of the session. My hon. friend from Grandville has been in a belligerent mood this afternoon, and has covered considerable ground to lay before this House the grievances or recriminations of numbers of people who have spoken upon the subject of the war since the first of August, 1914. The first argument which he tried to make before this Chamber was that he was not sure if he could not establish that Great Britain, by its dilatoriness in declaring itself in favour of the Allies, had not permitted Germany to take for granted that Great Britain was not in it, and that it could wage successful war against France and Russia. Well, I have heard that affirmation before, and I am sorry for my hon. friend to say that it is in the "Devoir" and from Mr. Bourassa's pen that I learned it.

Hon. Mr. CHOQUETTE: No; I got that in the book.

Hon. Mr. DANDURAND—Of course. Mr. Bourassa took his affirmation from the same official documents as my hon. friend has. My hon. friend has cited the statement of the French Ambassador at Berlin, M. Cambon, declaring that there seemed to be an assumption in Berlin that Great Britain would maintain its neutrality, and that that was an element which tended to war. My hon. friend has given that statement as of the 29th July, 1914. I am so proud of the whole course pursued by the British Government and the Minister for Foreign Affairs during the whole of this crisis, that I cannot allow the affirmation to pass, that at any single moment of the controversy or negotiation Great Britain's actions were not in favour of peace and in support of the Allies. From the day that the tension appeared between Austria and Serbia, the whole action of the Foreign Office was in favour of peace. Its action towards France and Russia on the one hand, and Vienna and Berlin on the other, was constant in favour of a pacific solution. But when the fateful day came near, on that very 29th July, what do we see the Minister for Foreign Affairs doing? We find it in the collective diplomatic documents relating to the outbreak of the war, printed by the Imperial Parliament. Under No. 87, here is the telegram from Sir Edward Grey to Sir Francis Bertie:

(Sir Edward Grey to Sir F. Bertie, British Ambassader at Paris).
Foreign Office, July 29, 1914.

Sir,—After telling M. Cambon to-day how grave the situation seemed to be, I told him that I meant to tell the German Ambassador to-day that he must not be misled by the friendly tone of our conversations into any sense of false security that we should stand aside if all the efforts to preserve the peace, which we were now making in common with Germany, failed

Now, what is the conversation which took place between the Minister for Foreign Affairs and the German ambassador at the Court of St. James? We find it under No. 89, in the despatch of Sir Edward Grey to Sir E. Goschen:

Sir Edward Grey to Sir E. Goschen, British Ambassador at Berlin.
Foreign Office, July 29, 1914

Sir,—After speaking to the German Ambassador this afternoon about the European situation, I said that I wished to say to him, in a quite private and friendly way, something that was on my mind. The situation was very grave. While it was restricted to the issues at present actually involved we had no thought of interfering in it. But if Germany became involved in it, and then France, the issue might be so great that it would involve all European interests; and I did not wish him to be misled by the friendly tone of our conversation—which I hoped would continue—into thinking that we should stand aside.

He said that he quite understood this, but he asked whether I meant that we should, under certain circumstances, intervene?

I replied that I did not wish to say that, or to use anything that was like a threat or an attempt to apply pressure by saying that, if things became worse, we should intervene. There would be no question of our intervening if Germany was not involved, or even if France was not involved. But we knew very well, that if the issue did become such that we thought British interests required us to intervene, we must intervene at once, and the decision would have to be very rapid, just as the decisions of other powers had to be. I hoped that the friendly tone of our conversations would continue as at present, and that I should be able to keep as closely in touch with the German Government in working for peace. But if we failed in our efforts to keep the peace, and if the issue spread so that it involved practically every European interest, I did not wish to be open to any reproach from him that the friendly tone of all our conversations had misled him or his government into supposing that we should not take action, and to the re-

proach that, if they had not been so misled, the course of things might have been different.

The German Ambassador took no exception to what I had said; indeed, he told me that it accorded with what he had already given in Berlin as his view of the situation.

I am, etc.,

E. Grey.

That was on the 29th July. On that very same day Sir Edward Goschen had wired to Sir Edward Grey the following:

[Telegraphic.]

Berlin, July 29, 1914.

I was asked to call upon the Chancellor to-night. His Excellency has just returned from Potsdam.

He said that should Austria be attacked by Russia a European conflagration might, he feared, become inevitable, owing to Germany's obligations as Austria's ally, in spite of his continued efforts to maintain peace. He then proceeded to make the following strong bid for British neutrality. He said that it was clear, so far as he was able to judge the main principle which governed British policy, that Great Britain would never stand by and allow France to be crushed in any conflict there might be. That, however, was not the object at which Germany aimed. Provided that neutrality of Great Britain were certain, every assurance would be given to the British Government that the Imperial Government aimed at no territorial acquisition at the expense of France should they prove victorious in any war that might ensue.

I questioned His Excellency about the French colonies, and he said that he was unable to give a similar undertaking in that respect. As regards Holland, however, his Excellency said that so long as Germany's adversaries respected the integrity and neutrality of the Netherlands, Germany was ready to give His Majesty's Government an assurance that she would do likewise. It depended upon the action of France what operations Germany might be forced to enter upon in Belgium, but when the war was over, Belgian integrity would be respected if she had not sided against Germany.

His Excellency ended by saying that ever since he had been Chancellor the object of his policy had been, as you were aware, to bring about an understanding with England; he trusted that these assurances might form the basis of that understanding which he so much desired. He had in mind a general neutrality agreement between England and Germany, though it was of course at the present moment too early to discuss details, and an assurance of British neutrality in the conflict which present crisis might possibly produce, would enable him to look forward to realization of his desire.

In reply to his Excellency's inquiry how I thought his request would appeal to you, I said that I did not think it probable that at this stage of events you would care to bind yourself to any course of action and that I was of opinion that you would desire to retain full liberty.

Our conversation upon this subject having come to an end, I communicated the contents of your telegram of to-day to his Excellency, who expressed his best thanks to you.

What was the answer of Sir Edward Grey to that communication? On the 30th July, before Germany had issued its ultimatum to Russia, Sir Edward Grey communicated this answer to Sir Edward Goschen:

Foreign Office, July 30, 1914.

(Telegraphic)

Your telegram of 29th July.

His Majesty's Government cannot for a moment entertain the Chancellor's proposal that they should bind themselves to neutrality on such terms.

What he asks us in effect is to engage to stand by while French colonies are taken and France is beaten so long as Germany does not take French territory as distinct from the colonies.

From the material point of view such a proposal is unacceptable, for France, without further territory in Europe being taken from her, could be so crushed as to lose her position as a Great Power, and become subordinate to German policy.

Altogether apart from that, it would be a disgrace for us to make this bargain with Germany at the expense of France, a disgrace from which the good name of this country would never recover.

The Chancellor also in effect asks us to bargain away whatever obligation or interest we have as regards the neutrality of Belgium. We could not entertain that bargain either;

Having said so much it is unnecessary to examine whether the prospect of a future general neutrality agreement between England and Germany offered positive advantages sufficient to compensate us for tying our hands now. We must preserve our full freedom to act as circumstances may seem to us to require in any such unfavourable and regrettable developement of the present crisis as the Chancellor contemplates.

You should speak to the Chancellor in the above sense and add most earnestly that the one way of maintaing the good relation between England and Germany is that they should continue to work together to preserve the peace of Europe; if we succeed in this object, the mutual relations of Germany and England will, I believe, be "ipso facto" improved and strengthened. For that object His Majesty's government will work in that way with all sincerity and good-will.

Now, this is the answer of Great Britain on the 30th July, and, no one will ever question the fact that when Germany sent its ultimatum the evening of that day to Russia, it was perfectly aware that Great Britain was to stand with the Allies. Germany's hope was, in a sudden and rapid assault on France, to crush that country, and so stupify the world that Great Britain would perhaps hesitate; but as to taking the risk of facing a conflict with Great Britain, there is no question that Germany knew on the 30th July that Great Britain would stand by France if France was attacked, and if Belgium, more especially, was invaded. Germany took its risks,

hoped to succeed in freeing itself from French defence within a few days, and then with all its forces and that of its ally, Austria, turn on Russia, which could not be prepared before four or six weeks. We know what followed; and to-day we are still at war. I have from day to day, with every member of the human community, read reports that have come from those divers war zones. There is no reason for any one to be nervous at this present time. Germany had for 40 years been preparing a war machine of formidable power. If it could not, within the first 12 months, or within the first two months, make any headway when thus prepared, and its neighbours were not, I say to-day, with all the neutrals on this side of the Atlantic, who have followed the course of events, and with all public men from France, Russia, Italy and Great Britain, that we stand to win. Canada stands with Great Britain and her Allies, and will stand, I hope, to the last day and to the day of victory—Canada as a whole. This is not a conflict between France, Great Britain and Russia on one side and Germany and Austria on the other. It is a conflict of the democracies of the world against kaiserism in its worst form. If we should be defeated, something would be changed on this continent, not only on Canadian soil, but on American soil as well. Who would stand between the mailed fist of the Kaiser and the people of this North American continent? A democracy with no army to speak of. What would the United States do if it witnessed our downfall? It would establish conscription and prepare to raise in the United States and maintain a war machine of a strength sufficient to meet that one which had been organized and was victorious in Berlin. This is as clear as daylight. I feel that we are all fighting —Canada, Great Britain and its Allies—as well for the United States as we are fighting for ourselves. This is a sorry spectacle which we are witnessing. We are of the 20th century. We have had 20 centuries of Christianity, and has not every one of us asked himself if what we see to-day, that exhibition of barbarism, is not a proof of the utter failure of Christianity? We have all been wondering if the Christian principles have not failed. And yet we quickly reject the idea because Christianity has done too much for the uplifting of the human being to be pronounced a failure. There is one principle which stands for ever condemned by this exhibition of barbarism. It is the doctrine of the divine right of kings. This has gone by the board, and this is that which must be crushed, and crushed forever. Autocracy claiming to govern by divine right has brought about this war. Now, suppose Germany had been a republic, or had had representative institutions, suppose the German people had been the masters of their own destinies, would we have had this declaration of war? Would we witness this stupendous calamity? Germany was in the full enjoyment of its freedom and its power and its prosperity. Take France as a contrast. Deeply wounded 43 years ago having lost two provinces; wounded in its pride—and we know what a proud nation France is —and yet 43 years after this humiliation standing mistress of her own destinies, facing the threat of war from Berlin, but surrounded by friends when she had none in 1870; supported by Russia; supported by the strong national patriotic will of France; morally sure of its Ally, Great Britain; and yet standing in fear of war, and withdrawing her armies from the frontier and calling upon its friends to do their utmost to prevent the dogs of war from being let loose. And why? Because those 670 members of Parliament in the Palais Bourbon in Paris knew what war meant, and what it meant to their children, and what it meant to their people, what it meant to the French family. There was there no more any consideration of king's power, of royal family's interest in Europe. No, there was a solid French nation which felt the moment near when it would have to open its own veins and defend its own soil. It was a people master of its destiny, a free people who feared war because it knew what it meant in bloodshed. Did the German people have that occasion to express themselves? No, kaiserism held sway.

Hon. Mr. CHOQUETTE—What about King George?

Hon. Mr. DANDURAND—My hon. friend from Grandeville shows the little knowledge he has of the situation when he asks, What about King George.

Hon. Mr. CHOQUETTE—The hon. gentleman was speaking about the divine right of kings. Kings have rights.

Hon. Mr. DANDURAND—Well, my hon. friend will have to go to school to learn again that our King reigns, but does not

govern, while the Kaiser of the Germans governs and reigns.

Hon. Mr. CHOQUETTE—You are a lawyer.

Hon. Mr. DANDURAND—Yes, and I say that if Germany had had the free democratic institutions of Great Britain we would not have the calamity we are witnessing; and for that reason I say we must continue the war in the name and in behalf of the free people of the world in order to establish permanent peace. And in order to establish a permanent peace we must see this war to a finish, because if we do not see this war to a finish, then we will simply have to maintain and develop militarism in our country in order to protect ourselves against a return of the enemy. Our only hope, our only salvation, is in crushing kaiserism, in crushing this militarism in Berlin; then we will be sure to free all the peoples of the world from this nightmare and to re-establish a permanent peace.

Hon. Mr. CASGRAIN—I would not have risen to speak to-day were it not for the speech of the hon. member for Grandville. The hon. member for Victoria (Hon. Mr. Cloran) wishes to move the adjournment of the debate. I oppose the adjournment of the debate, because I do not for one moment want to have any member of this House believe that I share the views of the hon. member for Grandville.

Hon. Mr. CLORAN—Who had the floor first?

The SPEAKER—Better take your seat.

Hon. Mr. CLORAN—Who had the floor first?

The SPEAKER—I will answer that when the hon. gentleman sits down.

Hon. Mr. CLORAN—I am down.

The SPEAKER—I think the hon. members sprang up both together, and I shall leave it to the House to decide who should speak first.

Hon. Mr. CLORAN—What I wanted to move was the adjournment of the debate.

Hon. Mr. CASGRAIN—Hon. gentlemen—

Hon. Mr. CLORAN—Wait a second. We both rose at the same time and His Honour the Speaker leaves it to the House to decide which of us has the floor. I think I was a flightier bird than the hon. member from DeLanaudière. I have been three times on my feet trying to get the ear of the House, and if the House is fair it will give the first bird the right to speak. I leave myself in the hands of the House. I will either speak or adjourn the debate. I leave myself in the hands of the House to say whether I have not the right to speak at the present moment. The Speaker does not know; how many members of the House know, I cannot tell.

Hon. Mr. BOLDUC—I move that the hon. gentleman from DeLanaudière be heard first.

The SPEAKER—Carried.

Hon. Mr. CLORAN—It is not carried. I understand my rights in this House as well as anybody.

The SPEAKER—The motion was carried, and it is a motion which cannot be discussed. A motion to give the right to a senator to speak is never discussed.

Hon. Mr. CLORAN—It has not been seconded.

The SPEAKER—It has been moved and carried. If my decision is wrong——

Hon. MEMBERS—No, no.

Hon. Mr. CLORAN—It is not carried.

Hon. Mr. CASGRAIN—I regret very much this little incident, but I have given my reason for wishing to speak at this moment. I insist upon speaking now because the hon. gentleman from Grandville—God forbid that I should make one uncharitable remark about him—seems to have collected, from various newspapers published in England and Canada, everything which would be of a disagreeable nature to place before this House. It is really unfortunate. We have a very old saying in French, "Protect us from our friends, and we will take charge of our enemies." He is a friend of mine, and I say "Protect us from our friend." The hon. gentleman from Grandville may claim to speak for others: I only speak for myself. I totally disagree with everything he said in his speech, which lasted an hour and a quarter. That speech is not one which is likely to do good. As the hon. gentleman from Ottawa has said, we are in the midst of a struggle. I shall not go over all the war speeches, but I say this in all earnestness: If any of the flesh and blood of the hon. gentleman were on the other side of the water this moment, he

might entertain different ideas and very different views about helping in this matter. God knows that a victorious Germany means a German Canada. Nobody can deny that. A few moments ago we were told that we might depend on the United States.

Hon. Mr. CHOQUETTE—I never said that.

Hon. Mr. CASGRAIN—But others have said it. A victorious Germany would have at its command not only its own forces and fleet, but we would have a return to the days of the great Napoleon. It would have at its command the fleets of those countries which it had conquered, and I ask would any one nation and especially an unwarlike nation like the United States be able to stand and protect us? Our only hope is in this country exerting all its might—and that perhaps is very little. We must remember, however, that in a struggle like this if every member of the great British Empire brings its mite, it will be of assistance. The struggle is very difficult and close, and it may take little to turn the scales one way or the other in the near future, or what we may call the near future. As to the ultimate success, we all pray and hope that not only the flag of France but the grand old flag of England which has never been beaten yet, will be again victorious. Enough has been said on that subject. May I be allowed to change the direction of the discussion for a moment, and simply refer to some of the remarks the hon. leader of the House made yesterday. We are dealing with the speech from the Throne, and without bringing in anything of a controversial nature, I think it only fair to rectify some things. As a rule the leader of the Government is very fair in his statements to this House, but I do not think he was justified in saying that it would have been necessary a year and a quarter ago to have a general election because of the general inheritance that the former administration had left upon the shoulders of the present Government. That inheritance was composed more particularly of the Grand Trunk Pacific and Canadian Northern Railways. Of course he may know whether a general election at that time would have had anything to do with diminishing the amount of bonds or not, but let me recall the fact that the Canadian Northern Railway is the child very largely—almost exclusively, exclusively at any rate in the mountain section from west of Edmonton—of the present Government.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. CASGRAIN—And they cannot deny their own child. I defy the hon. gentleman to say that the former administration ever appropriated one dollar for the main line of the Canadian Northern railway from Edmonton westward. Only lately I with others went from Edmonton westward, all the way up to the summit of the Rocky Mountains in the Yellowhead Pass to Lucerne some 300 miles; here was the Canadian Northern going for about 300 miles within a few yards of the Grand Trunk Pacific in a country which is almost a wilderness, which is a wilderness. Here were those two roads together, within sight of one another. I do not want to be controversial, but I know the statement of the hon. gentleman from Calgary was a slip of the tongue. Two roads so near together in that wilderness were not immediately necessary.

The difference of level between Edmonton and Yellowhead Pass is not very great, not very much greater than the difference in level between Edmonton and Calgary, and Calgary is supposed to be in the prairie. After the Canadian Northern railway reaches Lucerne it branches off, following the North Thompson river, and makes a bee line over the Canadian Pacific, a distance of 250 or 300 miles in the wilderness, and that is also the child of the present Administration. That is no inheritance of the former Administration.

Hon. Mr. LOUGHEED—Do I understand my hon. friend to deny that the late Government was responsible for making the Canadian Northern railway a transcontinental system, and the legislation which was passed by the late Government in pursuance thereof?

Hon. Mr. CASGRAIN—My hon. friend and myself always understand each other very well, and I am surprised that he did not understand me so well to-day. I said that the former Government had not given one dollar of subsidy west of Edmonton, and I defy contradiction on that. I ask the hon. gentleman as a business man, would the company have built the road without the subsidy?

Hon. Mr. LOUGHEED—Will the hon. gentleman deny that the late Government

committed itself to the policy of making it a transcontinental road from coast to coast, and that it subsidized that portion of the transcontinental system running through Ontario?

Hon. Mr. CASGRAIN—I was strongly in favour of that, and spoke for it more than once in this House, and we will be carried away from the subject under discussion if we follow that question. As a matter of fact, the former Administration gave a guarantee of bonds of $35,000 a mile for the 1,050 miles from Port Arthur to the city of Montreal, and that loan was a first mortgage upon that road. At that time I, for one, believed that the Government of the country would never be called upon to pay either principal or interest, because I knew full well that the road would cost from $55,000 to $60,000 a mile, and consequently the first mortgage of $35,000 was absolutely secured, and that they would get traffic from Port Arthur to Montreal. That was the condition, but as to the other section westward from Edmonton, I speak advisedly when I say that the former Administration did not give any subsidy to the Canadian Northern Railway. When I was interrupted I was about to speak of Kamloops; the Canadian Northern railway having stopped paralleling the Grand Trunk Pacific at Lucerne, makes a beeline, following the north side of the Thompson river to Kamloops, commences to parallel the Canadian Pacific railway, and in the gorge of the Fraser river, in some places not much wider than this chamber, you see on one side the Canadian Pacific railway and on the other the Canadian Northern railway. At some places where it had been found difficult to construct the Canadian Pacific railway on one side, they left that side and crossed to the other side of the river. I am informed that the Canadian Pacific Railway could handle eighty-eight times the amount of traffic it is carrying at the present time. I do not think the hon. leader of the Government should have said that that should be a reason for bringing on a general election, simply because the former administration had left that, not healthy, but rather sickly child, in their charge. It was their own child. As to the Grand Trunk Pacific, I have the Debates of 1903-4 here, showing that I mentioned in this House in speeches, when the measure was first introduced, that grain would be taken from Winnipeg to Quebec for 8½ cents. It was then supposed to be almost out of the question. Members of this House were too polite to ridicule the statement, but I could see a great deal of incredulity on the part of members of this House, who thought that such a thing was not possible. I am glad to find the Grand Trunk Pacific, or National Transcontinental Railway, actually being vindicated by members of this Government in the last few days, corroborating not only what I have said, but going further. They have offered to carry grain for 25 per cent less than the rate mentioned, and carry the wheat 600 miles further. The hon. Minister of Railways (Hon. Frank Cochrane) has made arrangements to carry wheat from a point called Armstrong, near Superior Junction, to tide water—not to Quebec, but 600 miles further, to St. John or Halifax, for 6 cents a bushel. Now, we were all regarded as Utopians when we spoke of 8½ cents. The Government is taking advantage of the easy grades and curves of that road to offer the people of this country low freight rates for carrying their grain to tide water. Then, when this enterprise was left to the tender mercies of the present administration we must remember that we left them an overflowing treasury to pay for the construction of it, and it was largely paid for out of surplus revenue. Having, I think, proved that the construction of the National Transcontinental Railway has been absolutely vindicated by the present Government by their use thereof, it is difficult for me to avoid using a very familiar expression, which is so satisfying, "I told you so." It is a great satisfaction to be able, after ten or twelve years have passed, to make this statement. One of the great things that a seat in this House is useful for is that if a gentleman makes a prediction here he may live some day to see it actually verified.

The hon. leader of the Government in this House spoke of the wonderful knowledge of Canada that Germany had obtained. In fact, the leader of the Government this year seems to be inclined to exaggerate a bit. He is such a good business man, that I do not like to hear him make such statements. He said they knew more about Canada than his own Government did. That is no compliment to our country.

Hon. Mr. LOUGHEED—I did not say that.

Hon. Mr. CASGRAIN—If my memory serves me correctly, that is what he said.

I think I can quote it correctly. His statement was as follows:

> Germany, through its system of espionage, has a more thorough knowledge of Canada in the pigeon-holes of its foreign office than would be found in the departments of our own Government.

I think that is a wee bit exaggerated, although there is a great deal of truth in it. I am reminded that some years ago Sir Wm. Van Horn told me that he had learned of the possibilities for profitably working the lead ores of the Rocky mountains from the report of the German consul in the city of Vancouver. Here we see that the German consul had knowledge of one feature of our country, and that fact would corroborate what the hon. leader of the Government has said. There is no doubt they have a very good idea, and a very great knowledge of our country, and have an eye on it. The Government of the country should, I take it, imitate in that respect the Governments of other countries, and get a more thorough knowledge of our resources. I myself have been going to the library for the last 10 years inquiring for books on the industrial development of Germany, and, strange to say, these books, printed in France, gave a lot of information, and among many great industries the manufacture of aniline dyes was mentioned. These industries were not invented by the Germans, but by others, and the Germans adopted them. Their Government helps in all sorts of ways in order to develop industries. At this particular time every one who thinks he can do something, or has an idea, should not be backward in bringing it forward, no matter whether it appears to him trivial, or whether from false modesty he may fear he would be told, "Don't butt into this thing." There is a very small matter which to my mind is important. Some time about the beginning of last July, seeing newspaper illustrations showing that the German and Russian army and many Austrian soldiers were equipped with knee boots, and having as a land surveyor for nearly forty years worn such boots, I said, "I do not want to put it in the press or anything of that sort, but here are pictures showing the absolute necessity of acquiring some for our soldiers." I do not want to criticise the Government, but after a long time I am glad to see that some 50,000 pairs of these boots have been actually ordered. I am afraid they will be a little bit late, as none of them have reached the other side yet. It was in July that I agitated for this. I know it is difficult to get people to agree to any change. We have an army council here, and they said ankle boots were the thing. Of course walking around Ottawa, ankle boots are satisfactory, but out in the fields knee boots are a better protection against the wet and cold. However they said they did not want the knee boots for two reasons. The first one was that neither the British army nor the Canadian army had used them. That statement was not true. I remember full well seeing British regiments in Quedec on the field every soldier having these knee boots, and in the Northwest rebellion the present Minister of Justice, Hon. Mr. Doherty, went to the Northwest wearing a pair of them. I commend the Government for taking some notice of this and having ordered some. I wish the boots had been supplied sooner. One man who returned from the front said he would have given $100 for a pair of these long boots when he was standing in the trenches in six or seven inches of water. However, that is one of the things coming, and if the Senate could in any way have these 250,000 men to be enlisted, and the 120,000 that are now in this country, fitted with these boots, they would place them in a fit condition to fight in the trenches, and in that way would be imitating the German army, at any rate in the matter of boots. If you look at the photographs of some of these Germans who are reclining or wounded you see the sole is covered with large hob nails, and the heel has a small strip of iron around it. These boots are very lasting They do not cost as much as the larrigans that have been ordered. The larrigans are shoe packs with soles and heels and laced up in the middle. They have many openings which let in the water. A smooth surface would be much better, and if any other member of this House could think of anything of a nature to help our soldiers at the front I think it false modesty not to mention it. We are here to do something, and some ideas when worked out might do good. The long boots would certainly be a great benefit. I would like to say one kind word with reference to the hon. member from Montarville. I regret members were not familiar enough with the language to understand his remarks. The hon. gentleman made a very good French speech. I do not want to be controversial in any way, but any one could see, even by his appearance, that he was in the habit of

making speeches. He has made many speeches in the province of Quebec, but not always in good company. He has been a discipe of the late Hon. Mr. Monk, and Mr. Monk was a disciple of Mr. Bourassa, and he learned to talk nicely by following these people around. But talking seriously, he meets his reward. Well, there is more rejoicing in Heaven over one sinner repentant than over the ninety-and-nine just persons that persevere. He has always been a good Conservative. He strayed to one side for a little while, and followed Messieurs Bourassa and Lavergne, but now he repudiates their sentiments, and it requires courage to do that. Open confession is good for the soul. It is a good thing to come back to the fold and say "I have strayed a little bit." I do not think there is any harm in that. But really it was funny when he spoke of the navy. He said that the navy was one of the greatest things you could possibly wish for, and was actually useful. He had actually come to the possibility of a navy bombarding St. John and Halifax and coming up the St. Lawrence. Now, I can remember the time when it was said a navy would be of no use. It was contended that our navy was not worth anything. It was a tin-pot navy, and the poor boys who were going abroad would be disembowelled in the seas of China and Japan. I do not know why they were going so far away. However, there was another line of argument used by political orators, headed by Sir Herbert Ames, who employed pictures, magic lanterns, and slides to illustrate to us why Canadian people could not build a navy, and, therefore, even if it was a good thing to have a navy we could not build it. Mr. Ames used to have an eloquent speech, which he delivered to that effect—we could not have it. Now, we all know what the Australian navy did. The Sydney sank the German cruiser Emden, and we would all have been proud if a Canadian ship had sunk any of the enemy ships. However, it is another case of "I told you so." In the harbour of Montreal the Canadian Vickers have established a shipyard at a cost of over $5,000,000, paid by themselves, and there they have provided places for the construction of three great dreadnoughts. Anybody who wants to go can see them. Last winter they built no less than ten submarines; nobody denies that; and these submarines, as hon. gentlemen know, are the most intricate vessels to manufacture. They are made up to the very last word in naval architecture, and have crossed the Atlantic under their own power. They are now in the Mediterranean sea doing good service. That is what we have been able to do. Some of them have gone to the Baltic. However, it shows what we might have done before the war, if, in 1911, when the tenders were in for this navy, we had commenced to build a navy we might have had twelve or fourteen good fast cruisers, the very kind of ships that are needed, because those specifications had been prepared by the British Admiralty themselves, and our own warships would have escorted our transports across the ocean and proved a very valuable asset. Now, there is no reason at all not to have awarded the contract.

Hon. Mr. DENNIS—The Government at that time had the tenders. Why did they not award the contract?

Hon. Mr. CASGRAIN—Out of a spirit of delicacy. After the Government had lost the confidence of the country, they did not think it was right for them to give the contract.

Hon. Mr. DENNIS—The Government had the tenders in for nearly six months before that.

It being six o'clock, the Speaker left the Chair.

AFTER RECESS.

Hon. Mr. CASGRAIN—At six o'clock, when the Speaker left the Chair, I was speaking of the Canadian Northern. When I said Edmonton I meant Alberta.

The motion was agreed to.

The Senate adjourned till 3 o'clock to-morrow.

THE SENATE.

Thursday, January 20, 1916.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

REFINING NICKEL ORE IN CANADA.

NOTICE OF MOTION.

Hon. Mr. CASGRAIN—I give notice that to-morrow I shall ask the Government if it is their intention now to take the necessary measures to promote the refining of nickel ore in Canada. With the leave of the House I might call the special atten-

tion of the leader of the Government to this question which I and many others consider a most important matter. The Senate will adjourn to-morrow and we will have no opportunity of discussing the subject at length, but perhaps the leader of the Government will be good enough to give this House an idea to-morrow of the intention of the Government, because as we know nickel is an indespensable element in the making of projectiles and also of armour plate, and Canada possesses more than 80 per cent of all the nickel produced in the world. I have advocated this matter in the Senate on previous occasions. Now that we are in a time of war, it is most important that the Government take means to have these nickel ores refined in Canada so that we may know where our nickel is going. We are sending the matte to the United States, and as hon. gentlemen may have read in the papers, from the United States they may send the nickel to neutral countries, who may pass it on to the enemies of the Empire. This is a momentous question, and I ask the Government to give it consideration. It would not take long to deal with the matter. I am sure they have been alive to the importance of this question, and it would give the country some relief to know that one indispensable factor in making armour plate is not going to our enemies.

DECEASED SENATORS.

Hon. Mr. LOUGHEED—Before the Orders of the Day are called I might say that since the last session of Parliament the Senate has been called upon to mourn the death of its oldest member in years, and likewise in precedence, with one exception, in the membership of this Chamber. I refer to the loss through death of the late Sir Charles deBoucherville. Born in May, 1822, he was not far removed from living out a century. It is a long span of life from 1822 to 1915. His ancestry in his native province went back to the early days of the French régime, nearly four centuries ago. He saw the advancing civilization of the twentieth century emerge from the slowly progressive civilization of the nineteenth. When he was born the steam engine was in its infancy, railways, telegraphs, cables and all the great inventions of the present age were then unknown. Only fifty years before his birth the armies of France and England fought on the Plains of Abraham for the possession of the continent, and during his life time, it was not only possible, but it was probable that he had often come in contact with those who had known Wolfe and Montcalm, and those who had fought on the Plains of Abraham.

During his lifetime, he saw beaurecratic government make way for self-government; he saw our representative institutions develope from the bureaucracy of his early days to the democratic institutions of the present. He was a youth of intelligent years when Papineau headed the movement in Quebec and William Lyons McKenzie in Ontario in 1837, which resulted in the rebellion throughout Canada of that year.

When he was born the colonial Empire of Great Britain was but a series of scattered colonies, dependent entirely upon the Mother Country for their support and government, and regarded by the Imperial Government of those days as an incubus rather than a source of strength to the Empire. He had reached years of mature manhood before Confederation was thought of, and he saw Canada emerge from a primitive colony to be one of the greatest possessions in the Empire, a buttress and an invaluable support to it at this the most critical period in its history.

It is needless for me to point out the public services which he rendered to his native province during his lifetime. More than 55 years ago he was a member of the Canadian Assembly; was afterwards Premier of his native province; was in addition to being a member of this Chamber, a legislative councillor of the province of Quebec, and during his long lifetime enjoyed the respect and confidence of not only the political party to which he belonged, but to an equal extent the respect of those who were opposed to him politically. He had been a member of the Senate of Canada since 1879, and during that long period of time he followed closely the business of this Chamber, and endeared himself to all its members.

He died full of years and of honour, and posterity will point to his name as a man who though identified with the public activities of Canada for over half a century, enjoyed a reputation during that long period of time unsullied and unstained.

It is with much regret that we yesterday learned of the death of our late colleague, Senator Riley, Victoria. He became a member of this House in 1906, having been for some years in the House of Commons. He was a man of independent thought and of shrewd business ability. Like many others

from Eastern Canada he went to the Pacific coast and settled in the city of Victoria many years ago. He established himself in the good will of the people of that city and for several years represented them in the House of Commons.

While we had not the opportunity of hearing from him very frequently on the floor of this Chamber, he nevertheless interested himself in the public business and followed with close attention the work of the committees.

We regret his loss from amongst our number, and join in our sympathy with the members of his family who mourn his death.

It is also with very deep regret that I make mention of the loss through death, since we last met, of our late colleague, Senator McKay from Cape Breton.

Senator McKay was one of the more recently appointed members of this Senate, having been appointed in 1912. Although his membership was of so recent a date, yet during that period of time, he was one of our most active members. He entered the Senate with a valuable training gained in the public life of his native province, having been for some years a member of the Provincial Legislature of Nova Scotia; he was a distinguished member of the medical profession, and had always identified himself with the progressive learning of his profession. In this Chamber he was a most forceful debater, and followed with the deepest interest all the larger questions, which from time to time came before this Chamber, for our discussion and deliberation.

Those who knew him most intimately appreciated most the many worthy and sympathetic traits of character which he possessed, and will mourn his loss as that of a closely attached friend.

He has left behind him a family to mourn his loss, and I feel assured that I express the sentiment of this Senate, when I say it conveys its sympathy to the members of his family in the loss which they, as well as ourselves have suffered through his sudden and unexpected death.

Hon. Mr. BOSTOCK—I feel that I cannot add much to what has been so ably said by the hon. leader of the Government as to the death of the late Senator deBoucherville. Coming from the West, as I do, my association with Senator deBoucherville was only in this Chamber. There are so many senators sitting around me here who were closely acquainted with him in his life that anything that I could say might be a great deal better said by them. The senator from Montarville the other day referred to Senator deBoucherville in a most touching and proper manner. I may point out that Senator deBoucherville's life began in the reign of George IV and ended in the reign of George V; that during his life King William IV, Queen Victoria, King Edward VII and King George V ascended the throne of England. Few men have lived the length of time to have an experience of that kind. Every one who had anything to do with Senator deBoucherville in his work in this Chamber recognized him as a capable, trained and experienced parliamentarian, and his opinion was always listened to with great deference and respect. He was a kindly, courteous gentleman of the old French School that any one would be pleased and anxious to meet. We shall regret very much his loss to this Chamber.

In Senator McKay, who came to this House only a few years ago, we recognize a senator who was largely interested in the affairs of this country and took a very active part, not only in this Chamber, but also in the committees to which he belonged. He was a man greatly interested in all questions that affected the interests of the country and always placed his views very forcibly before the members of the Senate. I join in expressing the sympathy of the members of the Senate to his wife and family in the loss they have sustained.

With the death of Senator Riley, only the other day, we lose a member on this side of the Chamber. Senator Riley was born in Ontario, and chose British Columbia as his adopted province. From the first he took a great deal of interest in matters concerning his province, and was very largely associated with contracting work in the development of the resources of the province of British Columbia. He was well known in Victoria, and took a lively interest in the political affairs of that city from about 1896 onward. Coming to the Senate late in life, and being of a diffident nature, he did not take the part in the business of the Chamber, and of the committees, that younger men feel capable of doing, but his judgment was always well worthy of consideration and he took a large interest in what was going on. I join with the hon. leader of the Government in expressing the sympathy of the members of this Senate for his wife and daughter in the loss they have sustained.

Hon. Mr. POIRIER—I desire to express my sense of the loss which this Chamber has sustained in the death of the Hon. Senator deBoucherville. He was a typical gentleman of the old school. My ideal of a perfect gentleman consists not only in ancestry, but in being endowed with the best social and religious virtues, and those virtues the deceased senator possessed to an eminent degree. He was a typical French gentleman, of a type that played a large part in the history of Canada and which is largely disappearing—not that virtue is disappearing in the province of Quebec, but virtue adorned with such superior marks of high breeding is becoming more rare.

BILLS INTRODUCED.

Bill (A), An Act to amend chapter 132 of the Statutes of Canada passed in the year 1909.—Hon. Sir Mackenzie Bowell.

Bill (B), an Act to incorporate the Governing Council of the Salvation Army, Canada West.—Hon. Sir Mackenzie Bowell.

Hon. Mr. CLORAN—It was not my intention to add to the remarks which have been addressed to this House in regard to the loss that has been so severely felt as voiced by the leader of the Government and the leader of the Opposition in regard to the death of the late great figure in Canadian history, especially of the history of Quebec, the Hon. Senator deBoucherville. On behalf of that province, may I be allowed to express the profound regret felt by all classes of the people of Quebec, all classes, all creeds, and all nationalities. He was one of the men who has been able, through a long career of usefulness, to command the respect of the high and the low, the rich and the poor, and of all men who want good honest government. The late senator was Prime Minister of his province on two memorable occasions. He was Premier of Quebec up to 1873, when he was followed by the late Sir Henri Joly de Lotbinière. We all know the circumstances which brought about his downfall on that occasion. He stood up for the rights of the people and honest administration. The second time he came into power was after the downfall of the late Hon. Mr. Mercier, who had done so much for his province during the four years that he held the reins of power. Besides that, he had been a member of the House, a member of the different administrations for years, but he rose to this high position—the highest in the gift of the people of that province—and during his governing days he meted out justice to all. He was beloved by the English-speaking people of that province just as well as by the French Canadian people. He was a strong party man; he was a bulwark of the Conservative party from his youth up to the hour of his death; but that did not prevent Liberals opposed to him from acknowledging the wonderful power he had of securing the good-will of all classes and of all people in the province of Quebec. I feel that this tribute is due to his memory; I feel that the people of the province of Quebec, irrespective of creed, class or nationality, will say that I was justified in making these remarks.

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

THE SENATE.

Friday, January 21, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

AN ADJOURNMENT.

Hon. Mr. LOUGHEED—I move that when the Senate adjourns to-day it do stand adjourned until February 8, at three o'clock in the afternoon. With the leave of the Senate I have added a paragraph to the motion, and I propose that hereafter motions of this kind, for a lengthy adjournment, shall adopt the following paragraph:

> Unless senators are otherwise notified, by telegram, of an earlier sitting of the Senate.

I find when I give notice of a motion for a fairly lengthy adjournment, the question is sometimes presented to me as to what could be done, in the event of some contingency arising, to call the Senate earlier.

Hon. Mr. THOMPSON—I would suggest that the hon. leader make the hour of meeting eight o'clock, instead of three, as the train from the Maritime Provinces may be so late that we could not get here by three o'clock.

Hon. Mr. LOUGHEED—I am willing to amend the motion and make it eight o'clock.

Hon. Mr. MURPHY—How will this affect members who do not depend upon train, but have to travel by steamers, which may be stuck in the ice? Are we to be mulcted if we are delayed? This is a

standing order and will continue, of course, and we in Prince Edward Island are a part of the Commonwealth.

Hon. Mr. DAVIS—Get an aeroplane.

The motion was amended and adopted.

REFINING OF NICKEL ORE IN CANADA.

INQUIRY POSTPONED.

Hon. Mr. CASGRAIN rose to ask the Government if it is their intention now, to take the necessary measures to promote the refining of nickel ores in Canada.

Hon. Mr. LOUGHEED—Stands.

Hon. Mr. CASGRAIN—I should like to say a few words before the notice of motion is postponed. When I gave this notice yesterday I had no idea of the very involved and complex question that I was approaching, and I am quite prepared to have the matter postponed, and shall not expect to receive a definite answer to-day. I regret that the short time I have been able to devote to this question has not afforded me an opportunity to give the Senate some very interesting data in regard to it. However, I fully understand that it is almost impossible for the Government at the present time to do anything which would in any way be considered an unfriendly act towards our neighbours, the United States, and I understand that prohibition of the exportation of the matte of the nickel ore at present is almost out of the question, but, as we all know, this nickel is such an indispensable factor in the composition of, not only armour plates, but many other things used in war, that it is a very serious question for the Government to consider. A great many implements of war require a certain alloy of nickel in them. If I take a few minutes now to tell the House something about the nickel industry of Sudbury I trust I shall be permitted, although this explanation is not very full and I have not at all the information I should like to give at the present moment. Many of us will be surprised very much, as I was, to know that when the ore is taken from the ground it contains only two per cent of nickel, which means that simply two tons of nickel will be found in 100 tons of the ore. No wonder the nickel is so very, very valuable. We grow eloquent in Canada when we speak of our mineral resources, and particularly when we speak of our nickel ore, of which we have such a large proportion of the total world's production. If I am correctly informed, eighty per cent of all the nickel used in the world comes from our Sudbury mines; France has nickel in New Caledonia, a very small quantity. There is also nickel in Norway, but a very, very small amount. There is an almost negligible quantity in Germany, and I have been informed by the hon. member for Hastings (Hon. Sir Mackenzie Bowell) that there are also traces of nickel in California. But a very large proportion of the nickel mined every year comes from Canada, and is extracted from the mines in Sudbury. When the ore is extracted, the first process is that of burning in the open air, which means that wood has to be mixed with the ore in sufficient quantity to burn the ore. That is for the purpose of burning what we call the gangue, which exists in any sort of mineral, that is, all the other elements but the one which we desire to save. In this nickel ore there is iron, silver and copper. Burning it in the open is a very expensive and wasteful process, because the by-products are all absolutely lost. The copper and the nickel being oxidized, form sulphate of copper and sulphate of nickel, a very soluble salt which can be easily dissolved, and in case of rain it is washed away and carried into the ground and absolutely lost. After this burning process, the ore is roasted and very much reduced in quantity. Finally, in the third stage, the product of those two operations is melted in order to separate as much as possible the iron, silver and copper found in the ore; and when the matte is prepared and in a fit state to be taken to New Jersey, I am informed that it contains eighty per cent of pure nickel. There is still twenty per cent of the gangue left in it, and in New Jersey this twenty per cent is separated from the pure nickel. It would be very difficult to have that process carried on in Canada at present, because this last process of refining requires the use of sulphate of soda, which is a by-product of the commercial soda that is produced quite close to the place in New Jersey where the nickel is refined; so that in case we should decide to refine it here we would have to import this sulphate of soda from the United States. A new alloy called Monell, after the name of the president of the company, is being made in New Jersey out of our nickel. The alloy consists of leaving a certain proportion of the copper with the nickel, and a great deal of this Monell is used commercially. You may

be under the impression that the whole of this matte goes to the United States, but that is not the case. About 75 per cent goes to the United States but the remaining 25 per cent goes to England. Sir Alfred Mond has a large plant in England for refining this nickel, and he owns several mines in the Sudbury district—the Victoria mines, the Frood Extension mine, the Levack mines, the Worthington mine, the Kirkwood mine, the Murray and the Whistle. Now if I may be allowed to call the attention of the leader of the Government more particularly to this point, the only thing that strikes one is that it might be possible for this Government and the Imperial Government and Sir Alfred Mond to have some understanding by which a larger portion of the output would be secured by England. No one could object to increasing the output, and that would supply not only England but also her Allies with a sufficient quantity of nickel for all purposes, and our neighbours could not consider it an unfriendly act. If, on the other hand, any other measures were taken, there are many ways in which it might be regarded as an unfriendly act by the United States. I do not wish to mention here the many ways which they might adopt to retaliate if they considered our policy objectionable, and they could cause great inconvenience to us. They might say, "If you are going to prohibit the exportation of nickel from Canada we will prohibit the exportation of certain commodities"—which I need not mention, but which are very, very useful and imported in very large quantities into Canada. While on this subject I might add that there are many other metals and materials in Canada which could be of immense use in this war, and our Department of Mines has many experts who could do very valuable service to this country by suggesting methods by which they could be utilized. I know of some very precious war materials, which I am not at liberty to mention, that are now being extracted under the supervision of the Government, and much more might be done in that way. Naturally, this would involve the appointment of a few more chemists. The Department of Mines has done very remarkable work, and I am proud to be able to say on behalf of Canada that our department is considered, not only in the United States, but throughout the world, as one of the most perfect. Dr. Haanel, the head of this department, has been commended for his good work in many scientific reviews in Europe, and he has been made a member in several institutions. The other day Mr. John Hays Hammond, who represented the United States at the Coronation donated a very large sum of money to Yale University, and appointed Mr. Louis D. Huntoon, Consulting Mining Engineer, of New York, to establish this mining and metallurgical laboratory at Yale University. Mr. Huntoon, in going about the world seeking the best and most modern departments and laboratories that could be found, came to Canada and visited our laboratory here, and I am pleased to be able to read the following letter he wrote to Dr. Haanel:

Louis D. Huntoon,
Consulting Mining Engineer,
115 Broadway, New York.
November 15, 1915.

Doctor E. Haanel,
Bureau of Mines,
Ottawa, Ontario, Canada.

Dear Doctor Haanel,—I have visited many laboratories throughout the United States and I cannot resist the temptation to drop you a line and congratulate you on the thoroughness of your equipment and the well arranged rooms.

It was a great pleasure for me to design and build the Hammond Mining and Metallurgical Laboratory at Yale University, and I made it a point to try and have individual laboratories for research work, but the space was so limited I was only able to work in three such laboratories. Before visiting your laboratories I thought I had left something to my credit at Yale, but yours so far outshines what I did, that I will hesitate to mention the Hammond laboratory in the future. I am enclosing a reprint describing the Hammond laboratory, and when you rewrite the article on the laboratories which you have designed and erected, I would greatly appreciate receiving a copy of same.

With very kindest regards, I remain,

Very truly yours,

(Signed) Louis D. Huntoon.

It has been said over and over again that science will win this war for us; hence every research that can be made in the direction I have indicated should be undertaken. We have a well equipped office here, and if the Government would call in these experts to the Mining Bureau they could give the Government many new ideas, perhaps, in supplying material which is so much needed. It is well known as matter of history that in the wars of the great Napoleon, in which nearly every nation in Europe was engaged, and which lasted over twenty-three years, one of the

principal reasons of Napoleon's success, as is now being explained in all scientific reviews, was that in almost every case he was followed wherever he went by a large corps of savants and chemists who were the very best in Europe at that time, and he profited by all their inventions and discoveries. This present war may last some time and it would be a grand thing for this country if, through our Mining Bureau, something could be found which would be of use to the Allies. I do not expect the leader of the Government to answer my questions to-day, because I understand very well that the matter is a very difficult one and cannot be disposed of in an offhand way.

The Senate adjourned until Tuesday, February 8, at 8 o'clock p.m.

THE SENATE.

Tuesday, February 8, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

DESTRUCTION OF PARLIAMENT BUILDINGS.

The SPEAKER—Before the Orders of the Day are called, I beg to lay on the table the following communications. The first is from Melbourne, Australia, February 5, 1916, and reads as follows:

The President of the Senate and Speaker of the Commons, Ottawa:

The President of the Senate and Speaker of the House of Representatives on behalf of the Parliament of the Commonwealth of Australia desire to convey to the people of Canada sympathy in connection with destruction of Houses of Parliament at Ottawa, buildings in which Canadian people with good reason took so great a pride.

(Signed) Thomas Gibbons,
President.

The following telegram has just been received from Paris:

Paris, 5 février 1916.

Président, Sénat, Ottawa, Canada:

Le Sénat Français profondement ému par la catastrophe qui a si douloureusement atteint le Parlement canadien dans ses membres, sa demeure et ses trésors, historiques, vous adresse, l'expression de sa sympathie sincère. Il salue en méme temps la mémoire des enfants du Canada tombés sur le sol Français pour la défense de la civilisation et de la liberté.

Le Président,
Antonin Dubost.

Hon. Mr. CASGRAIN.

The translation of the telegram is as follows:

Paris, February 5, 1916.

To the President of the Senate,
Ottawa, Canada.

The French Senate deeply affected by the catastrophe which has so painfully stricken the Parliament of Canada in its members, its building, and its historic treasures, conveys to you their sincere sympathy; and bows to the memory of the sons of Canada, fallen on the soil of France in the defence of civilization and of liberty.

(Signed) Antonin Dubost,
President.

Hon. Mr. LOUGHEED—It is right that the Senate should recognize the sympathy and friendship for Canada which have been expressed by the Governments of France and Australia, and I am satisfied that I express the wish of the Senate that His Honour the Speaker should assume the responsibility of duly acknowledging those messages which he has read to the Senate. It might not be inappropriate for me at the same time to make a few observations as to the reasons why we are occupying the temporary quarters in which we find ourselves housed this evening. We adjourned the Senate a little over two weeks ago, having up to that time occupied the Senate Chamber in the Parliament buildings. On Thursday the Houses of Parliament were burned. Canada sustained in that fire a very serious disaster, from which I hope we will happily recover at a very early period. The catastrophe is one which has been noted, in fact, throughout many parts of the world, and the expressions of sympathy and courtesy which have proceeded from different governments and people both on this continent and Europe, produce a very profound feeling of satisfaction in the minds of the people of Canada. While the loss which this country has sustained both materially and sentimentally in the destruction of the Houses of Parliament may be great, it will be recoverable at a comparatively early day, yet unfortunately that disaster has been associated with a more tragic occurrence. Unhappily, seven lives went out into that shadowy land from which they will not return, by reason of the disaster to which we refer. I feel assured that I express for the Senate their feeling and sentiments when I say that we convey to the families and the friends of those who have suffered from this disaster our condolence and our deepest sympathy. I cannot refrain from saying something of our associations with the Houses of Parliament. That stately pile

which has been destroyed was erected prior to Confederation and in anticipation of the various provinces of Canada coming together in a confederate whole. For nearly fifty years on the floor of that Parliament the business of Canada was transacted. Within the walls of those Chambers was passed that great body of laws which is to be found in our statutes from Confederation down to the present time. Upon the floors of that Parliament were passed those great measures, both political and national, embodying the policy of the different Governments of the day which contributed so largely to the progress, to the building up, to the success and to the development of Canada. Within those walls were heard from time to time the voices of those older statesmen, the Fathers of Confederation and others who have long since gone to their rest, as well as those who are to-day living and who by their zeal and patriotism in behalf of the interest of Canada have laid strong and deep and wide the foundations of this great Dominion. Within the walls of those two Houses the history of Canada has been made. The history of Canada has, so to speak, marched hand in hand with the measures passed from time to time within the walls of that Parliament; and it is therefore with veneration that we speak to-night of the associations of those Houses of Parliament which within the last week, through the element of fire, have been destroyed. It is a good sign, and a wholesome sign, that the people should exercise a deep veneration for those buildings in which were enacted the historic events of their people. In such a way may we well refer to the Houses of Parliament of Canada which recently have been destroyed. Before sitting down, may I express our acknowledgment, as I think we should, to the energy and the enterprise of the Department of Public Works in furnishing the Parliament of Canada so quickly with quarters in which they may transact their business. I know that the Minister of Public Works and his staff have been tireless in their efforts since Thursday night to furnish us with the quarters in which we meet to-night. It is a tribute to the energy and the enterprise of the Canadian people that since that disaster occurred the parliamentary business of this country has not been delayed an hour. I think it speaks volumes for the virility of the Canadian people that, notwithstanding the disaster to which I have referred, the business of the country has proceeded uninterruptedly. I cannot sit down without expressing our acknowledgments to the Senate staff for the excellent work which they did on the night of the fire. From the leading officers of the Senate down to the minor employees, they were all busy and interested to the utmost degree in saving everything that possibly could be saved, and in protecting our interests in whatever way they could. I have, therefore, very great pleasure in expressing this evening our acknowledgments to the staff of the Senate for their efforts and their energy on that occasion. I do not wish to draw any invidious distinctions, but I should like to express my acknowledgments to my hon. friend from Portage la Prairie (Hon. Mr. Watson) for the excellent work which he has done since we took possession of this building. My hon. friend has co-operated with us in every possible way, and has been a tower of strength to us in meeting the requirements of the moment, and which, I think you will readily acknowledge have been so well met. Under these circumstances I feel satisfied, notwithstanding the interruption which has taken place through the disaster to which I have referred and our removal to these temporary quarters, that we shall in no wise fail in the discharge of our duty as members of the Senate of Canada. I feel satisfied that the business of the country will proceed as if we were housed in our former quarters, and that every hon. gentleman will be as active and as interested in the transaction of the public business as he has been at any previous time.

Hon. Mr. BOSTOCK—On behalf of the hon. members on this side of the House I desire to join with the leader of the Government in sending our expression of thanks to the Senate of France and to the Houses in Australia for their kind sympathy in the misfortune that has overtaken the people of this country. I will say it is a misfortune to lose historic buildings such as the Houses of Parliament have been. The associations with those Houses, the discussions that have been carried on, and the measures that have been passed in them, are a matter of history, in which a large number of gentlemen whom I see now around me and many others have taken part, in the upbuilding and development of this country, in deciding the policy of this country, in which respects they did last-

ing work for the future. We have suffered a very great loss to-day in losing the associations that have been destroyed with those buildings. I join in the expression of sympathy with the leader of the Government for those who have so sadly lost their lives. The loss has been a serious one, and of course the loss of life is one that cannot be replaced. The loss of a member of the House, if I may mention him, who was in the House with myself, is a very great one. All those who knew Mr. Law were fond of him and appreciated him as a worthy and honourable representative who conscientiously did his work for his country and the people he represented. He had been the dean of the members from Nova Scotia, and will be very much missed by all who had any acquaintance with him. In regard to the men who lost their lives I think there should be some recognition of those who so nobly tried to fight the fire and who died at the post of duty. Those men are deserving of the same consideration from the country as the men who to-day are fighting our battles at the front. Although not in such a spectacular way these men did lose their lives when they were doing their duty trying to save the buildings of this country. I think that some recognition should be given of the services that these men rendered. I wish to join with the minister in recognizing the way in which this building has been got ready for us to-day. Not only the Department of Public Works, but also the Department of Geology are to be complimented on the way in which they have worked together to have this building ready for our occupation. The Geological Department and their officers have had to be turned out of this building; all their work for a great many years in arranging their specimens and getting everything ready for the benefit of the public has been, from their point of view, practically thrown away; there was no question of dissent of murmur on their part; they were quite ready to remove all those specimens and make room as quickly as possible for the change of conditions. I think they are deserving of credit for what they have done. I cannot add very much to what has been said by my hon. friend as to the work done by the Department of Public Works. They are to be highly commended for the way they have decorated this Chamber and completed this work. The pictures that we see around us are familiar to us all and give a feeling of home association to members who have looked upon them for years; and we are indebted to the staff of the Senate, from the head officials to the lowest messengers, for the way they worked to save them from destruction. I am sure we shall all work together in the future for the advancement and benefit of the country, and possibly this calamity may result in steps being taken to lay the foundation of a greater and nobler structure for the future.

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

THE SENATE.

Wednesday, February 9, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (A), An Act to amend the Companies Act.—Hon. Mr. Domville.

ADJOURNMENTS OF THE SENATE.

Hon. Mr. DANDURAND—Before the Orders of the Day are called I should like to draw attention to a statement published in the morning newspapers throughout the land, that the Senate did not sit yesterday afternoon because there was but one mace for the two Houses of Parliament. Although we have considerable respect for the forms of antiquity, I do not suppose the absence of the mace would have prevented the Senate from sitting yesterday afternoon if we had been summoned for three o'clock. From the Minutes of this House it will readily appear that we were only called to meet at eight o'clock last evening. Looking at the report of the discussion which took place on the motion of my hon. friend for the adjournment of the Senate for Friday the 21st January. I find that he added to his notice, (which was the only one I had seen, having left the Chamber the day before) the following:

> Unless senators are otherwise notified by telegram of an earlier sitting of the Senate.

I find there was no debate on this suggestion of my hon. friend and that it carried. I hope my hon. friend will not take advantage of this vote to claim that it is a binding precedent upon this Chamber, because I would have considerable objection to its acceptance as such. I simply want

to give notice to my hon. friend that although the efforts which he did make were commendable, the realization was perhaps somewhat faulty, inasmuch as he did not state by whose authority the Senate could be called at an earlier date than that fixed in the motion. When we examine the form of a binding resolution to that effect, I think my hon. friend will find that there will be considerable divergence of opinion between the members of this Chamber as to the terms of such a resolution. Up to this date the representative of His Majesty alone has summoned the Senate. We have now this very vague resolution passed by the Senate which simply declares that we shall adjourn until a certain date unless senators are otherwise notified by telegram of an earlier sitting of the Senate. The amendment of my hon. friend does not state who would sign that telegram or who could order the senators to convene at an earlier date than that fixed in the resolution. Perhaps it is commendable to try and find a way of recalling the Senate at an earlier date when a long adjournment is decided upon, but I think we will require to discuss the modus operandi at some future date.

Hon. Mr. LOUGHEED—I might say, in answer to what my hon. friend has said, that in the motion there is an omission of the procedure which it is proposed to adopt in such a case, namely, that the Senate shall be called upon a telegram being received from the Clerk of the Senate. Of course the Clerk of the Senate would necessarily be set in motion by the representative of the Government in the Senate. My hon. friend will observe, I think, the utility and desirability of some procedure being adopted in such cases as that now under consideration. There are times when we find it desirable on account of absence of work to adjourn for a considerable period. One never knows what exigencies may arise necessitating the members of the Senate being called together at an earlier date. It is therefore in the interests of the members of the Senate who avail themselves of an adjournment that a method of this kind should be adopted as it will tend to remove the objection to long adjournments. I should have thought my hon. friend from Montreal would have been the first to have advocated in every possible way the adoption of some procedure by which we could adjourn from time to time, and more frequently than we have done in the past. And I shall look to my hon. friend from Montreal to help us to devise such a scheme, so that that object may be carried out in the future. It seems to me, apart from all facetiousness, that the idea is an excellent one. I do not see the propriety of members meeting here if there is nothing to do, but if a long adjournment is involved, in the uncertainty of political or national or public requirements needing their meeting at an earlier day, the embodiment of such a provision in the resolution seems to be very desirable.

Hon. Mr. DANDURAND—Would not my hon. friend consider the appointment during the session of a small committee to work out a form of resolution that would be satisfactory to this Chamber?

Hon. Mr. LOUGHEED—I have no objection to it, but the object I had in view in placing that rider on the motion is this: that the Government of the day would be the best and the only judges as to the desirability of the Senate meeting at an earlier day. The Government of the day, through the leader of the Senate, would necessarily set in motion the provisions or conditons which we have attached to the motion, and the Clerk of the Senate would in turn telegraph the members of the Senate if it should be thought desirable that they should meet on a particular day earlier than the date fixed in the adjournment. It struck me that that is the most practical method we could adopt. However, if hon. gentlemen desire to discuss it with a view to devising another way I assure them they will have my co-operation and sympathy in any step they may take in that direction.

Hon. Mr. POWER—I think the proposal made by the hon. gentleman from De Lorimier is a very proper one. The hon. leader of the Government says that the Government are the people who are interested in having the business of the country transacted by the Senate. While that is true, in the eyes of the parliamentarian, the member of the Government in this House is really no more than any other senator; he is simply a member of the Senate, and it happens that he is also a member of the Executive Council or Administration of the day. We have got along now for forty odd years without this exceptional sort of provision, and there has not been any thought of it except in the present instance, so that we have plenty of time to consider the proposal made by the hon. member from De Lorimier. If we are going to introduce

this entirely novel system then we should do it as a Senate and the new system should take the form of a rule of the House. To say that any senator, whether he be a member of the Government or not, can undertake to summon the senators here when the Senate is solemnly resolved to adjourn to a fixed day beyond that at which they are supposed to be summoned, indicates a looseness of view with respect to the dignity and importance of Parliament, and particularly of this House, that does not commend itself to one.

Hon. Sir MACKENZIE BOWELL—While the remarks made by the hon. member from Halifax are quite correct, that the member of the Government has no more power here than any independent senator, it is well understood that the member of the Government represents the Government here, and when he speaks upon a question of this kind he speaks for the Government as well as for himself. But, apart altogether from that, whether this motion which was carried in reference to our adjournment should be considered as a precedent is another question altogether. The question has been raised as to whether there is any power to call the Senate together other than through the action of the Government of the day. If my hon. friend will consult May and the authorities, he will find that where he treats of this very question of adjournment, the reference is entirely to the Parliament of Canada and not to any branch of it. In view of the objection raised I took the trouble to go over it once or twice and came to the conclusion that the objection taken would be quite correct and proper if Parliament had adjourned over any particular time. Then Parliament could only be called together before the expiration of that time by the action of the Governor General, of course on the advice of his advisers. But if my hon. friend will read the authorities carefully he will find, according to my judgment of the interpretation, that either branch of the legislature could move an adjournment even with that clause in it if it thought proper to do so. My impression, therefore, is that the constitutional authorities would bear out the correctness of the position taken by the Senate. Whether that might be considered un-British I am not now discussing, but the war and other circumstances that present themselves at the present moment make the provision for meeting emergencies particularly applicable to the present time. I think my hon. friend, in considering the question, will conclude that this is not an ordinary time, and that an adjournment for a fortnight might seriously inconvenience the Government in taking proceedings in case of exigencies that might arise. Hence my impression is that under the peculiar circumstances of the present time, the proviso in the amendment was an admirable one. We can discuss here the question whether it should be made a precedent or not, but if circumstances arise similar to those which existed at the time of the adjournment, I think it would be well to make some provision in order to call this branch of the legislature at an earlier date than the period for which it had adjourned, if the exigencies of the times and the circumstances should justify it.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Sir MACKENZIE BOWELL—Because we can readily understand that events might occur during an adjournment of a fortnight that would necessitate the calling together of this branch of the legislature at an earlier period in order to deal with any important question that might possibly arise.

Hon. Mr. BEIQUE—I quite agree with the hon. gentleman that occasions might arise necessitating an early call of this House during the adjournment of the House, and I think that all facilities should be given to the Government so that this House may resume its sittings at any time. But I agree with the suggestion of the hon. gentleman from De Lorimier that it would be proper to appoint a small committee for the purpose of devising the best means of achieving the object. As presently advised I am under the impression that we will require to amend one of the rules of this House, and therefore, I think the suggestion that was made of appointing a committee is quite proper.

Hon. Mr. CLORAN—I see a way out of the difficulty—which is not a very great difficulty—that would not necessitate the issue of anything like this. The Senate is all-powerful in its vote. The leader comes before the Senate at any time and says, "I would like to have the Senate adjourn for one, two, three or four weeks." During that time an emergency might arise requiring the Senate to meet. All the Senate would have to do, in accepting the motion of the leader of the House for the adjournment, would be to put in this proviso—

"Motion granted subject to an earlier call by the leader of the House." No committee is needed to discuss that. It is the Senate which delegates its powers for the time being to the leader of the House. No one is going to say that the leader of the House, representing the Government of the day, is going to act in a hostile spirit, or lightly, in calling the Senate at an earlier date than the adjournment agreed upon. I think that would cover all conditions. The Senate simply transfers its power and authority to the leader of the House for a certain time, and there would be no difficulty and no occasion to raise obstacles in the matter.

ALIEN ENEMIES IN CIVIL SERVICE, ETC.

Hon. Mr. CLORAN—Before the Orders of the Day are proceeded with, on behalf of a large section of the people of this country, and some in very high position, I wish to direct the attention of the Government to a coming event in the very near future. We have had considerable discussion about German activity in Canada, and possibly the activity of alien enemies in Government positions. We hope that such activities and influence will be wiped out as fast as possible. On the day of the burning of the Parliament buildings an employee in the branch of the post office in the Union Bank building, declared his satisfaction with the destruction of the Parliament buildings. That is one case. Then right here in constructing this Chamber, I asked the policeman, "Are there any Germans around?" He replied, "Yes, there are four of them, skilled mechanics." I was confronted by the contractor and asked what fault I had to find. I said I had no fault to find, but I thought that there were men right here at the present moment who were Germans. He said, "They are not German Canadians; they are German Americans." That made it all the worse. The point I want to direct the Government's attention to is this: there is coming from a foreign country an orchestra of German origin and largely of German composition. Now, from high quarters down to low quarters protests have been entered against the bringing in of that body of German American musicians. I ask the Government if they will take steps to prevent anything from scandalizing the public, that is scandalized by expressions of opinion in the public press. The only party that can interfere with this intrusion of Germans into Canada is the Government of the day, the Federal Government through its Secretary of State. We do not hate the Germans, but we do not want to be bothered with their presence in our midst in the present stress of circumstances, that is all. On behalf of a large section of the public, if not all those in high places and official places, I ask the Government to have this thing put an end to.

THE NEW SENATE CHAMBER.

Hon. Mr. BOSTOCK—Before the motion for adjournment is put I desire to ask the Government leader if he can give us any idea of the business to be brought before us in the near future. I understand there are some alterations to be made in the seating accommodation of the Chamber, and if there is not more than the resolution which was brought up here to-day, and which I understand we are to take up to-morrow, I would suggest to my hon. friend that possibly he might give notice that after to-morrow, if we got through with this resolution, we should adjourn to give time to have such alterations made in the seating of the Chamber as may be deemed necessary to make it more convenient for members. Possibly the leader of the Government might also be able to give us some idea as to what course the Government intend to pursue with regard to the housing of Parliament. Do they propose to make this location in the museum permanent for us, or is any change to be made after the end of this session?

Hon. Mr. LOUGHEED—Speaking of the business before the Senate, we have an important resolution to discuss to-morrow. Whether we shall get through with it to-morrow I cannot say. My hon. friend might think it well to give notice for the Senate to adjourn to-morrow until Monday next if he so desired. As to the alterations which are to be made in this Chamber, I might say that they will probably be completed before to-morrow's session. Work will be started immediately on our adjournment this afternoon. As to what the policy of the Government will be in regard to rebuilding the Parliament buildings, I cannot give that information to my hon. friend at the present time.

Hon. Mr. POWER—There is just one point in connection with the remark made by the hon. leader of the Opposition which should be borne in mind. There are four committees summoned to meet Friday

afternoon, and I think that any motion for an adjournment had better come on Friday so that we shall have our commitees organized at all events before we adjourn again.

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

THE SENATE.

Thursday February 10, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

EXTENSION OF THE TERM OF PARLIAMENT.

ADDRESS TO THE KING.

The Order of the Day being called:

Consideration of the message of the House of Commons informing the Senate that the House of Commons has passed an Address to His Most Excellent Majesty the King, praying that he may graciously 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, in the manner therein set forth; and requesting that their honours will unite with this House in the said Address, by filling up the blank therein with the words "Senate and."

Hon. Mr. LOUGHEED—In asking the Chamber to consider the message of the House of Commons which appears upon the Order Paper may I say that this is a matter more largely for the Commons than for the Senate. In making this statement I do not wish to be understood to imply anything which would derogate from the authority which the Senate has to deal with this message in the same way as it would be dealt with by the Commons. It deals, however, with the question of a general election, and therefore is a matter peculiarly of interest to the Commons. I need not point out to hon. gentlemen that the British North America Act provides an arbitrary term for the life of the Federal Parliament. In that respect it differs from the provisions embodied in the Act relating to the provinces. They have authority to deal with their own constitution so far as it relates to the term of a general election. Of necessity we have to appeal to the Imperial Parliament for legislation to permit any amendment being made to the Act so far as it relates to the term of a general election. I need not point out to hon. gentlemen, particularly those who have been for many years engaged in the activities of political life in Canada, that the practice since Confederation with very few exceptions has been to dissolve Parliament before the effluxion of the statutory period provided by the British North America Act. It is therefore not unreasonable that the present Government, in considering what its attitude to the electorate should be, should have a due regard to the practice followed in the past by previous Governments. It of course has been a constitutional usage in Canada that the Government, during its term of office, should have a mandate from the electorate for dealing with all the larger questions, particularly questions involving public policy, rather than that they should assume the responsibility of taking upon themselves the adoption of a policy which possibly might not be approved of by the electorate if submitted at a general election. This usage has been a very salutary one, viz.:—that the Government should have a mandate from the electorate before entering upon or before committing the country to any important policy. When the present Government assumed office in 1911, it was elected upon a trade issue, the question of reciprocity, which was clearly defined between the two political parties. All the questions which have come up from that time to the present have been both important and unique in the fact that they cannot be said to have yet been pronounced upon by the electorate at the election of 1911. It was not contemplated by the electorate that this Government should be called upon to deal with such serious issues. I need not point out to hon. gentlemen that from Confederation down to the present time larger questions have not been dealt with by any Government in Canada. It has happened that since 1911 a combination arose of very large and important questions to be dealt with. The peculiar condition of the financial world at the time the Government came into office, and the changed conditions which immediately took place thereafter, necessitated this Government assuming these extraordinary responsibilities. There was the question, for instance, of financing the Canadian Northern railway. The late Government, by its legislation, had declared that it should be a transcontinental system, but owing to the financial depression that took place at the particular time to which I allude, it was necessary for the Government to come to its financial assistance. There was also a question of giving further aid to the

Grand Trunk Pacific, a great national undertaking which had been entered upon by the former Government of Canada. The Government of the day found it necessary to assist that company to a very large extent. There was a further question of taking over the National Transcontinental Railway system—a question which had not been considered by the electorate in 1911; yet owing to a combination of circumstances and of adverse financial conditions which had arisen in the country, it became necessary for the present Government to enter upon very large obligations and a committal to a policy upon which public opinion had not pronounced. In addition to those questions there was the very much larger question, that is, the committal of this Government to the great struggle which is now being carried on in Europe between the Allies with whom we are associated, and the central powers of Europe, and in which we, and the Empire to which we belong, are vitally interested. Canada had never at any time in its history contemplated being called upon to commit itself to a policy of such a momentous character as that involved in this particular issue. All these questions naturally confronted the Government of the day, requiring that they should take a pronounced attitude in committing the country to the policy which they found it necessary to adopt. Therefore, it was not at all surprising that the question arose of appealing to the country, and having the electorate pronounce upon the course which the Government of the day should adopt upon those very large and important questions. The Government naturally had to consider these great questions; and particularly in view of the fact that a Redistribution Bill had been passed some three sessions ago. Heretofore it has been the practice —I am subject to correction—to dissolve Parliament as quickly as possible after the passage of a Redistribution Bill. The principle involved was one which always warranted a dissolution of Parliament, more particularly as the last Redistribution Bill made provision for a great many additional seats in the representation of the West, as well as amending very considerably the representation of other portions of Canada. As I say, all those questions combined warranted the Government in giving serious consideration to the question of a dissolution of Parliament. A very large section of the electorate pressed upon the Government the desirability of taking this step, pointed out the constitutional usage which from Confederation down to the present time had always been adopted under such conditions, and that the Government would be fully warranted in dissolving Parliament notwithstanding the unfortunate conditions in respect of the war which had arisen in the meantime. On the other hand, there was an equally important section of the country totally opposed to the dissolution of Parliament and a general election, by which the attention of the public of Canada would be diverted from concentrating all its energies on aiding the Allies in carrying on the war. I need not enlarge upon the momentous struggle upon which we have entered, a struggle greater than has ever taken place in history, involving greater questions, questions in which civilization is more deeply concerned, than were ever involved in any struggle. Canada is not only committed to the Empire to which we belong, but is committed to the Allies to concentrate all its attention in giving the greatest possible assistance to make this struggle successful, so that the issue may not be left in doubt. And no more commendable attitude could be taken by any section of the public in Canada than impressing upon the Government of the day the desirability of abandoning all idea of precipitating a general election at such a critical time in the history of this country, and of devoting all its resources to the carrying on of the great conflict in which we are engaged. The Government of the day has given attention to those representations. It did hesitate, and I think properly hesitated, to bring on a general election at a time when we were so deeply interested in the war which is now being waged. It therefore was but logical that the Government, under those conditions, should say to Parliament, let the responsibility be upon the representatives of the people as to what should be done under the conflicting conditions which have been pointed out. We therefore have come down to the representatives of the people, in deference to what we consider the expression of public sentiment on this great question, and asked for an extension of the term of Parliament. We submit the matter to the representatives of the entire electorate, irrespective of the political shades of party or of opinions which go to make up Parliament—recognizing that the question is a great national one. It transcends party interests, party feelings,

party sentiment or any advantages which might be gained by any course which may be followed by a dissolution of Parliament at the present time. The duty and the responsibility are, therefore, upon Parliament of saying what should be done under the extraordinary conditions which to-day we are facing. I need not say to you, hon. gentlemen, that the Government has not brought this resolution down in any sense as a suppliant. We do not ask you to adopt it or to reject it. We simply say to Parliament, "The responsibility is entirely upon you, the representatives of the people, irrespective of political differences, and it is for Parliament to make its pronouncement upon this very important subject." This being the case, I think hon. gentlemen will agree with me that it is most desirable to divest this measure of all political feeling or of all political meaning, to treat it entirely as a great national question. I am satisfied from the way in which it has been dealt with in the House of Commons, that this Chamber will so regard it. I, therefore, have very great pleasure in submitting for your consideration the message which has come from the House of Commons, and ask you to join with the House of Commons in the adoption of the resolution which appears upon our minutes. I move, seconded by the Hon. Sir Mackenzie Bowell:

That the Senate unite with the House of Commons in the said Address by inserting in the blank space therein the words "Senate and," and that the Speaker do sign the said Address on behalf of the Senate.

Hon. Mr. BOSTOCK—I have listened with considerable interest to the remarks of the leader of the Government in submitting this resolution to the House. One portion of the hon. gentleman's argument was addressed to giving reasons why the Government would be justified in appealing to the people on account of the condition of the country. For a few minutes I might take a little exception to some of the remarks that he has made on that point. He speaks as if the country was not committed to the question of the building of the National Transcontinental railway, and the operating of that road in the year 1911, when the Government assumed office.

Hon. Mr. LOUGHEED—I quite admitted that the Government was committed to it. What I said was this, that the financial conditions of the country had changed to such an extent that it became incumbent upon this Government to implement the contract which had been entered into by the former Government, and to give further assistance, and not only to give further assistance, but, in the meantime, to take over the National Transcontinental Railway system.

Hon. Mr. BOSTOCK—I thank my hon. friend for the correction. I am afraid I misunderstood just the way in which he put the matter. The country, of course, was committed to that policy, and the matter had to be dealt with. In the matter of the Canadian Northern, the late Government was not responsible for making that railway a transcontinental line. All that the late Government did with regard to that was to grant subsidies as far west as the western boundary of Alberta, but it absolutely refused to have anything to do with the building of the Canadian Northern railway in British Columbia. The original start of that railway going into British Columbia was due to the action of the Government of that province, and it was not until after 1911 that that company came down here for the purpose of getting assistance from this Parliament.

Hon. Mr. LOUGHEED—Will my hon. friend pardon me if I say that the legislation of the late Government set forth that it was desirable that that road should be constructed through to the Pacific coast? Is my hon. friend not aware of that? He will find that in the Act to which I refer.

Hon. Mr. BOSTOCK—I was dealing with the question of the monetary assistance given to that company. The hon. gentleman dealt, of course, with the great question which is on the hands of the Government to-day in reference to the country doing its duty with the war now in progress. I think everybody agrees with the policy the Government adopted in this matter. When they decided, in the first instance, to take their stand on the side of Great Britain as they did—and we all commend them very highly for the way they behaved at that time—it might have been reasonable for them to have appealed to the people for a confirmation of the stand they had taken. At the same time, I think the country is so strongly behind them in that matter that no question of an election would come up after the first shock of the tremendous responsibility to which we are committed had passed through the minds of the people. The resolution we are asked to consider to-day deals with an

important section of our constitution. The clause of the British North America Act which they ask us to amend in a temporary way reads:

> Every House of Commons shall continue for five years from the date of the return of the writs for choosing the House, subject to be sooner dissolved by the Governor General, and no longer.

That clause gives to the people of the country an opportunity of expressing, at any rate at the end of five years, their opinion of the policy of the Government in conducting the affairs of the country, and the Fathers of Confederation at the time they were discussing this question were very strong in watching and safeguarding the interests of the people in that way. It is a most important article of the constitution, and one that we should deal with very gingerly, and with very great consideration before taking a step of this kind. If it were not for the tremendous responsibilities we have accepted in doing our part in defence not only of the Empire, but of civilization, I do not think a step of this kind would be justifiable in any way, but inasmuch as this resolution asks that the life of this Parliament should be extended one year from October next—that is 20 months from the present time—it will be received by the people with a feeling of thankfulness that for that period at any rate, no election may be brought on in this country and that they can bend all their energies, powers and attention to assisting the Allies in the prosecution of the war in which we are now engaged. Of course the same view has not been taken by other Governments in other parts of the British Empire. Since the war began the Governments of New Zealand and Australia have held elections, but those elections were held very shortly after the announcement of their decision to fight the battles of the Empire. As I tried to make clear just now, if the Government of Canada had decided to dissolve Parliament at that time, they would have been justified in doing so, but as this war has extended in such an enormous degree, having spread from the countries which were originally drawn into it, to practically the whole of the civilized world, the Government is quite right in making this proposition to Parliament and placing the country in a position that they may realize that they will not be called upon to discuss the questions which always arise at an election, for a period at any rate, of twenty months. The Government of course will be responsible for carrying on the affairs of this country for a longer period than usual, and the people will look to them to conduct the business of the country in a statesmanlike manner and without favouring one party more than another. Their attention had been called to certain matters with regard to the expenditure of large sums of money owing to the demands made by the war, and the people will look to them to see that that money is spent in the most economical and judicious possible way to bring the conflict to a successful issue within no very great distance of time. I trust that it will not be necessary to bring down any further resolution of this kind at a later date, but that the record will show that this resolution was brought down on account of the extraordinary and peculiar circumstances under which we are placed.

Hon. Mr. DAVID—There is only one opinion as to the necessity of doing everything possible in order to help the Empire in the great struggle which is being carried on. I may say without exaggeration that there is only one sentiment on that question. It is true that there are a few exceptions, but very few, and perhaps we attach too much importance to them. As to the prolongation of the life of Parliament there may be, and there are differences of opinion. I am not ready to say that the members of this House, whether individually or collectively, should oppose the prolongation or extension of the term of this Parliament, but I wish to formulate or sum up in a few words the objections which can be made against the proposed extension. In order to satisfy my conscience and judgment and in order to be able to say later on, perhaps, what I think would be proper and in order to afford the hon. leader an opportunity to meet those objections. The objections are:

1. There is no doubt that any extension of the term of Parliament is a derogation from our constitution, a violation of the letter and of the spirit of the Federal Act and the best proof that it is so, is the necessity of applying to the Imperial Parliament in order to make it legal.

2. The intervention of the Imperial Parliament is a dangerous precedent which may be used and abused for party purposes and which should be justified by the gravest circumstances and reasons, and it must be

sure that the object sought for will be attained.

3. The uncertainty concerning the cessation of hostilities makes it difficult, if not impossible, to fix a date for the expiry of that extension.

4. One year is mentioned, because it is supposed that the war will then be over. But if it should not then have ceased, it is intended, I suppose, to renew the application to the Imperial Government for another year, and even more. It is within the range of possibilities that this war may be followed by another, if not general, at least partial, in which England will be engaged, and it may take several years before a definite treaty of peace is concluded.

5. It cannot be said that elections would interfere seriously with the conduct of the war, and, anyhow, if the elections take place within the delay of one year asked for, the conditions may be worse than they are now, and what then about the practical effect of the extension of term asked for, what will become of the reasons given for resorting to such an extraordinary measure?

6. Our constitution entitles the people of this country to pass judgment every five years upon the deeds of its representatives. The prolongation of the term of Parliament will deprive them of that right.

7. That prolongation will continue to deprive the different provinces of Canada of the representation to which they are entitled in virtue of the last census, and of the law passed to give effect to that census and if ever there was a time when they should be fully represented, it is now. It cannot be denied that this abnormal state of affairs is contrary to the constitution and cannot be continued without jeopardizing the constitution and the rights of the people because some members of the Government and of the House have been elected to oppose the war policy of the Government. It is a matter of surprise to me that the great provinces of the West, which are so jealous of their rights, do not assert themselves in a more forcible way, because generally those great provinces do not hesitate to say what they think in the interests of the people.

Not only in the House of Commons, but even in the Government, the people of Canada are not represented in accordance with the letter and the spirit of the constitution, and the sooner an end is put to such an irregular situation the better it will be.

Notwithstanding the above objections if I decide to vote in favour of the resolution, it will be because of the unanimous vote of the House of Commons, of the expression of public opinion and on the express condition that the delay or ticket of leave asked for is for one year and not more. When a ticket of leave is granted to a prisoner it is on the condition that he will behave well. I hope the Government will act accordingly.

Hon. Mr. DAVIS—I quite agree with the resolution placed on the table of the House by the hon. leader. I think it expresses public opinion in this country from one end to the other. I presume the Government is not averse to taking another year. When a man has a law-suit and is not confident of success, he is always willing to have it postponed for a year; therefore the Government is quite willing to accept an extension of time. I might say that the province from which I come, and all the western provinces, have more to lose by this proposition than any of the eastern provinces, because we would be entitled, if a general election were held at the presnt time, to an increase of 27 members in the House of Commons. There are issues in regard to trade matters that we would like to see disposed of, but there is a spirit of patriotism all over the country, and when we consider that we have placed about 250,000 or more soldiers under arms, and furnished them with supplies, it goes to show that the people have taken the war in earnest. The people of Alberta have not waved the flag as much as the people in the eastern provinces, but when it comes to placing men in the field to fight the battles of the Empire, Alberta comes first and Saskatchewan second. We are quite willing the extension of the term of Parliament should be granted, but I should like to give the Government a little advice, and I hope my hon. friend will convey it to his friends—it is this, that the Government, who do not want to plunge the country into an election, should understand that the people out West, though deeply interested in free wheat and trade conditions, are willing to waive all that for the purpose of assisting in prosecuting this war to a successful issue. At the same time, their eyes are open and their ears are not closed, and they understand the way things are being conducted politically; the people, not only of one party but of both, are taking stock of that, and I think

it is pretty nearly time that the objectionable methods of the Militia Department should be put an end to. You will find a line of people at the department looking for patronage. Those people are patriots, but they would like to make 400 per cent profit on the manufacture of war munitions. I think the Government should do something to curtail the profits. This is a war of men, munitions and money, and every dollar that we can save to the Empire in this country at the present time may be of assistance a little later on, because it is the last dollar that is going to win the war. There is no question about that. Why should we charge the Mother Country large amounts for munitions? They are being heavily taxed in England, and why should we charge them $5 for a shell which only cost $3 to manufacture.

Hon. Mr. DOMVILLE—How would our manufacturers live?

Hon. Mr. DAVIS—It is the impression of many people that the men manufacturing shells and uniforms are making exorbitant profits, and I think the Government should take some step to see that contractors receive a legitimate return only. The department should endeavour to make the money go as far as possible. My hon. friend says we may have to grant another extension. I think we will. The present conflict is like the Civil War between the North and South. The North was not prepared at the outbreak of war and the South was. It took the North two years to get an army organized, and it took four years to carry the war to a successful conclusion, but they succeeded. It may take us four years, but we are going to win. But at the same time it will require money and men, and therefore whatever money we are going to spend, I would suggest to my hon. friend that he and his friends, the members of the Government, should see to it that every dollar is properly expended. Another very important question that will come up after the war is over will be what we are going to do with all those men who are now under arms. We will require a few of those dollars in our pockets when the war is over and a lot of those men will be coming back who will have to be looked after and placed in a position to earn a living for themselves and their families. That is something which will have to be worked out by the Government, and I hope they will take it into serious consideration. At the same time I would suggest that there should be less politics in the conduct of public affairs. I hope now we have got to the end of it. Under ordinary conditions the two political parties would have had to fight their issues on the hustings, but now we have got rid of that, and my hon. friends should, therefore, drop all politics. It does not matter what a man's politics are, if he is willing to tender at more reasonable figures than his neighbour he should get a contract. But that has not been the experience thus far, and I speak from knowledge of these matters. Young fellows have been taken in as lieutenants and captains, and this, that and the other thing, through political pull, who are not fit to lead men in the field, and I understand that they never go to the field. That sort of thing ought to be stopped—lieutenants, chaplains, colonels, and all the rest of it—and political pull should be cut out entirely. In the selection of officers, in the selection of physicians, in the selection of every officer, and the giving of contracts for everything next year, I hope the Government will drop politics entirely so that we can get the best possible return for our dollars, because we will need every dollar in this country until this war is over, and we cannot afford to fatten a lot of people at the expense of the country at large.

Hon. Mr. CLORAN—I rise to point out the serious condition of things caused by the granting of this extension of time. I am one of those who have pleaded, not only here but in the public press and elsewhere, for an extension. My view was that the Government should not be given an indefinite time to exist. The Government was first seeking a two years' extension, equal to three years after the war is over. I am glad to see that the views I put forth at that time in the press have prevailed, and that the Government came to see that it would be too much of a good thing to grant. It was much more than the great English Parliament, not the political party in power only, but the combined forces of the Empire, asked for itself as far as the life of Parliament is concerned. The extension of the term of the British Parliament was granted not at the demand of a party Government, but at the request of a coalition Government, and Parliament said to the coalition Government representing all shades of public opinion and all interests, "You will not

get a year; you will get six or eight months, just time to carry on or do the work of one session." Now, there is the all-powerful Parliament to whom we are going to appeal to grant this measure. What will they say on the floor of the House of Commons, in Westminster? When they find the Canadian Parliament granting, through a moribund Opposition, to a dying Government, in the last days of its existence, an unconditional extension of time, without safeguard for the public interest, without safeguards for party interest, they will simply stand amazed and say, "What kind of people are they in Canada? Have they been scared out of their wits?" I claim that here Parliament should dictate the terms under which this extension is to be granted. We will all vote for the extension, but it is up to the Liberal party of the Dominion of Canada to say to the Government what should and should not be done during that extension. What do I mean by that? The Government should have power to run the routine affairs of the Administration, the ordinary everyday events of administration; but that is all they should be granted. Under this message should they be granted the power during that extension of time, which is to be one full year, they will then have another year after that, remember. They have an extension of one year to hold the session of Parliament, and when that year is up they need not hold an election until the end of the next year. Has anybody thought of that? We are actually granting them an extension of two years. This Bill does not say that at the end of a year an election should be held. It simply says that the Government should maintain power to run the affairs of the country until October, 1917. The House then is dissolved, but there is no power on earth that can force that Government to go to the country in 30 days or 60 days. The Government under the constitution will then, after the dissolution of Parliament, have a right to fix the date of an election, which may be six months after dissolution, or nine months, ten months, or eleven months. So we are practically granting this Government—a moribund Government—an unconditional surrender of the people's rights. Now, during that year or two years extension—that year of legal extension and the other one which naturally comes to them under the constitution, because there is no provision in this message as to when the election should be held—many of us on the floor of this House will not be here; there will be vacancies. Will the party in power at that time have the right to fill the Senate Chamber with its nominees? Where is the protection for the great Liberal sentiment of this country under this message? And there is not the slightest doubt that our good friends the Conservatives will take every advantage of this extension, and if the war goes on for a year or two years more—and it may go on for three or four, for we have had before a thirty year's war, a five year's war, a seven year's war—why, there will be very few of us left, and this Government will have power to fill this Chamber with its supporters, and there will be no reflection of public opinion from the Liberal standpoint. I say the thing should not be tolerated; and I hold that if we have any friends on the floor in the House of Commons in England when this Bill comes before them for consideration and this matter is pointed out to the British authorities, that the British House, irrespective of party, will put in the Bill a proviso whereby all the rights of the Liberal party will be safeguarded and protected. I have not the slightest doubt of it; they have done it before; they have changed messages that have been sent over to the Imperial House for approval or adoption. I hold and I state that if the Liberal party want to protect themselves it is too late now to do it here, but they can still do it on the floor of the British House of Commons; and then the present Government will have no excuse to go to the country and say, "Oh, the Grits, the Liberals, forced an election; they would not grant us an extension unless under certain conditions that we would not accept and therefore we come before you." The leader of the Opposition in the House of Commons distinctly told the leader of the Government and the House of Commons that he would not be a party to such a scheme; that he would not be a party to give the Government a chance to go to the country and say, "Oh, the disloyal Grits would not give us an extension and they have forced us to the country." I go one step further and say that notwithstanding all those dangers which I have pointed out to this House and to the country I shall vote for the extension, but in the hope that we will have some voice on the floor of the House which will safeguard the interests that we are forced to neglect and cast aside under these adverse circum-

stances. I hope there will be some voice there that will take up the cause of the Liberal people of this country, and then the Conservative party will not have the power or the right to go to the country and say, "Oh, these disloyal Grits, these Liberals, have forced us to the country." That cry will be taken from them. Under these conditions and circumstances I say it is hard for a man who believes in democratic rule, who believes that all power of administration and all power of nomination spring from the people, to give up that principle and cast it aside; and I here endorse the sentiment expressed by the hon. leader of the Opposition in this House when he hoped that the Government would not deal unfairly or harshly when they got this extension of power, with interests that are not theirs. I endorse that sentiment, and I would add that there is no use of asking anything, but I point out to the country that there was a voice in this Senate that was prepared and able to tell the Government that they must not abuse the power that will be entrusted to them for the next twelve months or two years.

Hon. Mr. LEGRIS—May I ask the leader of this House if he sees objection to having this debate adjourned?

Hon. Mr. LOUGHEED—I would say to my hon. friend that I think the House desires to dispose of it at once.

Several hon. GENTLEMEN—Yes; sure.

Hon. Mr. LEGRIS: (in French) Not being familiar with the English language, and having no desire to weary the members of the House, I wish to express my views on this question in my maternal tongue.

Now, hon. gentlemen, the present situation of the members of the House is a very difficult and delicate one, since both leaders have shaken hands and approved of the resolution which is at present before the Senate. During the time I have been a member of this House, I have always understood and still understand that a senator must be above political partyism in order to keep perfectly independent, and not fear to express his views, even if they do not coincide with those of the party leaders. Here I must say, that I would have very much preferred making these positive statements at the time of the previous debate on this address. But, gentlemen, you all know that this debate closed abruptly to the great surprise of all. Then, I would have desired to express my fears on the policy that the Government, in my humble opinion, pushed to the extreme, the policy of increasing the troops to 500,000 men for active service. Through the enthusiasm of the people constantly fired by most newspapers, it is perhaps comparatively easy for the Government and the House to borrow fabulous sums of money that our participation in the present war forces us to spend. It is well understood that the press is easily influenced and advocate the increasing of our present forces and I am very willing to admit that a great number of them who urge constantly a greater and more effective intervention in this great war speak in good faith. But, on the other hand, we must not forget that a considerable number, perhaps those who clamour more loudly, are they who benefited by reaping large profits on account of the actual war. The Government does not want, as it has said, to hold an election during the war, and for that reason it wishes to prolong the existence of the present Parliament. The principle seems dangerous to me. If the war is not over next year, the same demand will be repeated, and how could you refuse its request? The longer term of Parliament incurs considerable dangers for the minorities. It will also require this House to approve the extraordinary policy which the Government has followed these past few years. The public says: "No election during the war". Have not Australia and New Zealand held an election since the war began? Did not many of the provinces of Canada hold their elections during this war? I, personally, cannot let this occasion pass without drawing the attention of the Government to the dreadful financial position in which we now are,—a position that grows graver day by day as long as the war continues. I consider our part in the actual war costs us more proportionately than it does our allies. Here, we pay our soldiers $1.10 per day; in England they pay a shilling, in France less and in Russia still less. Besides the cost of the transportation of troops, we will have to pay in all probability part of the cost of munitions. We are the people of a young country that has no capital of which it may dispose, but, on the contrary, has always existed on loans raised to carry out public enterprises. I am very much afraid that the prediction of the Attorney General: "Run the country into bankruptcy if need be" will be realized. All that has been done without consulting public opinion. It is all very well to say,

as has been repeated this afternoon—that the people approve of what the Government has done since the war began; but where are the proofs of this assertion? The situation is so serious that the Government should have gone to the country rather than prolong its term of office. It cannot ignore the fact that they have held power since 1911 owing to the treason of twenty-two or twenty-three of its members who were returned in their respective constituencies by promising their electors to support a policy altogether different from the one advocated before they were elected. I am very much afraid the time is not far distant when the people will realize that they have to shoulder a burden heavier than they can bear. Considering all these circumstances I believe the Government should have submitted its policy to the electors of the country instead of having the House extend its term of power.

The motion was agreed to.

The Senate adjourned until to-morrow at 3 o'clock p.m.

THE SENATE.

Friday, February 11, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE SENATE DEBATES.

SECOND REPORT OF THE COMMITTEE PRESENTED.

Hon. Mr. FARRELL, from the Committee on Debates and Reporting, presented the following as their second report:

1. That the contract with the reporters shall not be renewed without such modification as the Senate may adopt of advantage to the House.

2. That the manuscripts in typewritten form of the speeches delivered in the Senate be handed by the reporters to the members making the speeches for revision before forwarding to the Printing Bureau, such revision to be returned to the printers within three hours.

Hon. Mr. CLORAN—That means that the remarks made deliberately by a member of this House can be revised before being sent to the printer. To that I object.

The SPEAKER—The motion is to take the report into consideration on Tuesday, February 22.

Motion was agreed to.

Hon. Mr. LEGRIS.

AN ADJOURNMENT.

Hon. Mr. LAVERGNE—I move, seconded by the hon. gentleman from Belleville, (Hon. Sir Mackenzie Bowell) that when the Senate adjourns to-day it do stand adjourned until Tuesday, February 22, at eight o'clock in the evening.

Hon. Mr. LOUGHEED—I suggest to my hon. friend, in order that the matter may be discussed in its entirety, that we add to the motion the rider that we attached to the motion for the previous adjournment, which reads as follows:

Unless senators are otherwise advised by the Clerk of the Senate by telegram on the advice of the leader of the Senate of an earlier sitting of the Senate.

Hon. Mr. WATSON—I think we should not adopt this motion without an expression of opinion from the House. So far as the proposed rider is concerned, I shall vote against it if I vote alone. We should not be called by telegram. We should be called in the regular way and assembled here. The Government of the day might take this House by surprise. Their friends could be notified that they were going to be here on a certain day, and members of the Opposition might be so far away that they could not possibly get here. I think when we adjourn we should adjourn until a certain date, and if we cannot adjourn in that way, then keep the House in session. I decidedly object to the rider suggested by the hon. leader of the House.

Hon. Mr. DAVIS—I must again object to any private member moving an adjournment. I have stated before, and I state again, that the only senator who should move an adjournment of the House is the hon. leader, who has a knowledge of all legislation to come before us, and he should take the responsibility. I must vote against the resolution.

The SPEAKER—The question is on the amendment proposed by the hon. leader of the House.

The House divided on the amendment, which was lost on the following division:

Contents 18; non-contents 21.

The SPEAKER—The question is on the main motion.

The motion was lost on a division.

Hon. Mr. LOUGHEED—I desire to say that unless the House can see its way to accept the amendment that I have proposed, I do not think the adjournment should take place.

Hon. Mr. BOSTOCK—When this question was brought up by the hon. gentleman from De Lorimier, I understood that the hon. leader of the Government was prepared at that time to suggest a committee for the purpose of dealing with this question, to see if it could not be made more acceptable to the House. I expected that my hon. friend would have taken some steps in the matter before a motion of that kind was submitted to the House.

Hon. Mr. LOUGHEED—It was not my suggestion. Hon. gentlemen will remember immediately previous to the last adjournment I suggested, in fact I said, that in consenting to any future adjournment for any considerable length of time I would move as a rider the clause which I have just read. The House assented to that. It seemed to receive the unquestioned approval of the House, and why hon. gentlemen should object now I fail to understand. The Government in consenting to an adjournment has no intention of calling the Senate together for the purpose of taking any undue advantage of the Opposition. As I pointed out on the occasion to which I have referred, the intention of the rider is that should any unlooked for contingency arise, any exigency in national affairs which would render it necessary to call the Senate together at an earlier date than the time mentioned in the motion, it should be done. I also pointed out at that time that when it was suggested on previous occasions that we should have a lengthy adjournment, it necessitated my discussing the matter with the Government as to whether it was safe to adjourn for the proposed length of time. The objection was invariably raised that the Government could not say what public business in the meantime might arise. The Government cannot see what may arise in the nature of public business during such a period, and particularly at this time when there is a very disturbed condition of affairs throughout the world, and therefore this rider was added. I intimated that I should move it in connection with any future motion to adjourn. I have done so purely with that object in view. If hon. gentlemen see their way to accept this and to amend the motion made by my hon. friend, I am prepared to support it. Now, in regard to the question which the hon. gentleman from Prince Albert asks, as to whether I am in favour of an adjournment, all I can say is that I am unaware of any public business that will suffer during the next week; at the same time I am opposed to any adjournment unless the right is given to call the senators back in case of anything extraordinary occurring.

Hon. Mr. DAVIS—When I came into this House I was under the impression that I was not under the control of the Government or any person else, and I do not know that I feel like being telegraphed to by the Government to meet here or to go there or anything else. This is an independent body, independent of the Government as I understand it; that is why I am opposed to the amendment.

Hon. Mr. McHUGH—I oppose the amendment because the motion has been made by a private member of this House. I would vote for leaving the matter in the hands of the leader of the House. If he feels that he could give an adjournment, with the right, if necessary, to call us back, I would have the proposed rider incorporated in his motion; but I do not feel like having a private member submitting a motion to adjourn, with an amendment of this sort added to it. The matter should be in the hands of the leader of the House.

Hon. Mr. POIRIER—I do not see any serious objection to the rider. I would object to giving any member of this House, even the leader, the right to call us for the opening of the session, but when Parliament is convened we are supposed to be here continuously during the session. The rider confers no privilege; it means hardly more than ringing the bell and calling the members, for we are supposed to be here while the session lasts. If some hon. gentlemen desire to take the proposed holiday, I think that the privilege should be subject to being recalled at any time in case of a serious emergency arising. Therefore, I see nothing subversive of our rights, or antagonistic to them, in authorizing the leader of the House, in these times of war when martial law exists over almost all the world, to do what each and all of us would love and desire to have done—to be called here speedily so that the business of the

country should not suffer by our being momentarily absent.

Hon. Mr. DANIEL—I voted against the amended resolution because I am opposed to the main motion as well. I do not think that this Senate ought to be eternally adjourning. If there is business I think we should stay here and do it. An adjournment for a week will only allow a certain number of senators to get home anyway; I suppose the majority will have to stay here whether we adjourn for a week or not. I do not see any hardship, supposing there is no work to do, in coming here at three o'clock every day, opening the Senate and transacting any business that is ready to be done.

Hon. Mr. POIRIER—To say the prayers.

Hon. Mr. DANIEL—And to adjourn until the following day. I think that if the main motion is to be carried it should only be with the addition of the rider, under the circumstances in which we find ourselves at the present time. The statement that the leader of the Government made here to-day is a very reasonable one indeed. The Government are not able to foresee what may happen in a week's time or even less, and an emergency might possibly arise necessitating the meeting of the Senate: I voted against the motion not because it was amended, but because I was against the proposition entirely.

Hon. Mr. DOUGLAS—I patiently waited through the last vacation, remaining with my friends in this city to attend to any work that required to be done. If nothing was to be done, that was no business of mine; I am paid for my time, and my time is the property of the country, and it is the right of the leader of the House to call me at any hour to take into consideration important questions, and more especially under the circumstances in which we find ourselves to-day. There is no reasonable ground to suppose that the leader of the House is going to infringe on any of the standing rules of the House. If during the adjournment something of a serious character should arise and we should be here ready to deal with the emergency, it would be his duty to call the House together. Since the opening of the session I put in two weeks' holidays and have attended here getting my mail and disposing of anything I could do, although there was not very much to be done; but there may be more to be done during another vacation. I am quite satisfied to leave the matter in the hands of the leader of the House. If he should find it necessary to recall the House it would be a prudent thing on the part of the leader of the House, at its first meeting, to explain why he departed from the rule, leaving it to the judgment of the House to settle the matter. I am sure this House would be glad to support him in anything reasonable, fair and right. That is why I do not wish to vote for motions offered by private members under such circumstances. The leadership of the House for the time being rests upon my hon. friend; of whom we are justly proud, and not often do we have occasion to find fault with him. We should trust to his good judgment to call the House together if he sees fit during any vacation which we may take; but the House should be considered in those vacations, and I do not think that the multiplication of these repeated short holidays is for the good of the country or for the good of the House, or for anybody else.

Hon. Mr. CLORAN—I endorse the position taken by the hon. senator from Portage la Prairie (Hon. Mr. Watson). He has opened my eyes, and I think the eyes of a good many, to the fact that it would be dangerous to leave in the hands of any person—the leader of the Government, the leader of the Senate, or any member of the Senate, or Clerk of the Senate—the power to call this House together under any circumstances. Why do I take that stand at present? It is this. The Senate moves an adjournment of two or three weeks. We have four senators from Prince Edward Island, eight or ten from Nova Scotia, ten from New Brunswick, four from British Columbia and the Yukon and the far away provinces of Saskatchewan and Alberta, all far away provinces. I do not mention Manitoba, because it appears to-day to be the centre of the universe. On an adjournment of two or three weeks those senators all go home. When the Prince Edward Island senators get home they are encased in ice and cannot get back.

Hon. Mr. WATSON—In cold storage.

Hon. Mr. CLORAN—They are in cold storage. In British Columbia and the Yukon they are practically in the same position. From Saskatchewan and Alberta they have a long way to travel, and it

takes them three or four or five days to get down here. Now, what happens? We will say the Senate has adjourned for three weeks; a crisis arises in parliamentary affairs necessitating the immediate calling of the Senate. What is going to happen? The leader of the Government instructs the clerk to wire the members from Prince Edward Island, Nova Scotia, New Brunswick, Alberta, Saskatchewan, British Columbia, the Yukon, to be on hand in 48 or 24 hours. Now, that is a matter of physical impossibility. The result will be that if the Senate is called by telegram to be present within 48 hours or three days these members cannot be here, for it takes five days if not more of travel from Prince Edward Island here, two or three days from Nova Scotia and New Brunswick, five or six days from Victoria, British Columbia and the Yukon. As the hon. senator from Portage la Prairie says, that would be taking an unfair advantage of the members of this House. The position taken by the hon. member is based on justice to the members of this House and to the people. Canada is too vast for our members to be called together on a telegram, and as the hon. member from Portage la Prairie said, a snap verdict might be obtained owing to the absence of those senators from far distant provinces. Hence I think the position taken by him is a logical one which I hope will be maintained as long as we are in the majority; but I fear that if the Government is allowed to have its way, we will not be in the majority very long.

Hon. Sir MACKENZIE BOWELL—Thank the Lord.

Hon. Mr. CLORAN—It is up to the Liberal party in this House and the House of Commons to see that that game is not worked too far; and I hold with several members here, that when an adjournment is moved it should be by the leader of the House, who ought to know and does know what business is coming here; and the only business that can come here, apart from Private Bills and other Bills of minor importance, is business from the House of Commons, so I think the hon. leader of the Government ought to be in a position to decide whether an adjournment is necessary, and not require the rider that he proposes.

Hon. Mr. EDWARDS—It seems to me that this is a tempest in a teapot. The old practice used to be that the leader of the Government took the responsibility of moving adjournments. I have always been opposed, and am still opposed, to the practice of private members moving adjournments. When this matter was discussed a few days ago, there seemed to be doubt in the minds of some gentlemen as to who should have authority to send the telegrams. Well, we all know right well enough that so far as convening Parliament is concerned, it is through the instrumentality of the Governor General; but at whose instance? At the instance of the Government of the day; he is simply the mouthpiece; he speaks for the Government of the day, and if hon. gentlemen think that he should do it on the occasion of adjournments, he will simply do it again at the instance of the Government. I think it is shorter, more concise and just as well that the leader of the House do it himself, and I can see nothing wrong in it.

Hon. Mr. DAVIS—The Government does not summon this House by telegram.

Hon. Mr. EDWARDS—That may be. As to whether there should be such a provision under the existing peculiar circumstances, I certainly think there should be. If the Senate adjourns for some two or three weeks, there should be a proviso that in case of an emergency it should be called before the expiration of the adjournment. The only question which arises is, who should send the telegrams? It will be at the instance of the Government under any circumstances, and I cannot see very much difference whether the Governor General or the leader of this House is used. So far as this immediate adjournment is concerned, I do not take any stock in the arguments of hon. gentlemen that in the absence of some members living a long distance from the capital, an advantage may be taken. As the adjournment will be only for a week's time, nobody is going to journey to the other end of Canada simply for the pleasure of going there and returning immediately.

Hon. Mr. CLORAN—That is his business.

Hon. Mr. EDWARDS—It may be his business, but that is what would happen. If there is to be a committee appointed to say who should send this telegram, let us defer that to some other occasion, but let us to-day settle this question and have the adjournment if hon. gentlemen want it. I live in the capital, and am never interested in adjournments one way or the

other, but I think that our leader should move the adjournment; and I will say that I have absolute confidence that on no occasion will he take advantage of the Senate and send telegrams with the object of getting a snap verdict on any question.

Several hon. GENTLEMEN—No, no.

Hon. Mr. WATSON—I have every faith and confidence in the leader of this House, and I do not think for one moment that he would take the advantage that has been suggested; but you are adopting a principle and are going to make a precedent. If you do it now, why should you not do it again? Until the Senate makes some rule by which the Senate may be called in some other way, I say we should not depart from the old standing practice. I have every confidence in the leader of this House and I decidedly object to the way my hon. friend has put the case before the House. Speaking for myself, this is not a party matter at all, and I am glad that members on both sides of the House agree with me in thinking that we should not depart from the old method of calling this House; I do not think that we should put it in the hands of any man to call the Senate together by telegram. I am prepared to have an adjournment long enough to go home, but I do not think we ought to leave here with the understanding that Parliament can be called together on the suggestion of any member until some rule is adopted by this House defining how the Senate can be called.

Hon. Mr. MITCHELL—I do not think a committee could say how we are to be called back here. The leader of the Government could simplify the matter by having the Governor General recall us in the usual way. I do not agree with my hon. friend from St. John that we should sit here whether we have business or not. I am willing to vote for the motion to adjourn if the leader and the Government are satisfied. It is a pity to keep 80 or 90 men sitting here even to do the work that we have been doing this week, when I am sure they could do better work at home, working for the patriotic fund, in which I am sure my hon. friend from St. John (Hon. Mr. Daniel) is interested That would be better than sitting here and looking at each other. Surely the leader of the Government can let us out of this thing and not change the precedent. We have been adjourning for many years in the old way, and there is no reason why we should change.

Hon. Mr. RATZ—As regards the possibility of the rider being used to obtain a snap verdict I am quite willing to trust the leader of the Government. I do not believe he has any intention of doing such a thing. But I do not approve of this rider to the resolution. If the country is in such a condition that it might be probable or even possible that we would have to be called back by telegram within a week or ten days' time, then I think that this House should remain here, and even if there is nothing to be done we will be here ready to do anything which may arise. We are paid by the country, and we all know that the Senate has been made a laughing stock all over the country by reason of these adjournments. It has been cast into my face as well as into the faces of other members of this House, "Oh, you are going to Ottawa, but you will be back in a day or two." If it is only a matter of a week's adjournment, I think it is far better, if the Government is not positively sure we will not be required, that we should stay here, and then we will have nothing to fear.

Hon. Mr. SPROULE: I was just about to say in explanation of my position on this question, that when the proposal was first made, it seemed to be rather a dangerous innovation, the introduction of what might be called a very dangerous principle and precedent. Had it been predicated upon the exigencies of the occasion, this being a war session, and an announcement made that it would not be regarded as a precedent, I would have less reluctance to assent to it. I have not had time to look up the authorities on the question, but from my casual reading and from what I know of constitutional Governments, it did seem to me rather a strange innovation, and therefore I looked upon it with a little suspicion. It seemed to me a proposal which, if continued at the present time without any safeguarding by explanation that it was in view of the exigencies of the present session, which is a war session and therefore exceptional, that this was done, a bad precedent would be established. If it had been predicated in the way I suggest I would have less reluctance to agree to it, but in view of the fact that it was not, and as I have not had time to look up the history of the British Parlia-

ment on this question, I do not feel like voting for it. I frankly confess that I rather agree with the point raised by the hon. gentleman from Prince Albert, and I have always thought that the Government should take the responsibility of moving the adjournment of the House. It seems to me that it is neither the duty nor the privilege of a private member to do so. It is very much like the introduction of a Bill which carries with it money obligations. The Government should take the responsibility of it. In this case it seems to me there is a double justification for it, because we have a representative of the Government here who alone knows the inner history of what is going on, and therefore it will naturally be assumed that when he made the statement to the House it was accepted as what was justified by the circumstances and situation at the time, but when it comes from a private member we do not know whether it is anything beyond the natural tendency that members have, since transportation has become so easy, to come down here and work for a day or two and then go home again. It is a practice which has become very common of late, and is not too creditable to the Parliament of Canada, or likely to be conducive to the best interests of the country.

We should not adjourn too frequently. I do not feel like committing myself to what I thought was a dangerous precedent. It is something that might lead to great abuse if it could be quoted hereafter as a precedent.

Hon. Mr. LOUGHEED—May I say a word in explanation of the argument—I may say it is an argument—by hon. gentlemen that the Government should make the motion to adjourn. Hon. gentlemen should consider the situation in this way: that upon this question of adjournment there invariably is a very great diversity of opinion. It is entirely immaterial to the Government, if there be no business before the House, and it seems to me that the Government should not take the initiative in suggesting the adjournment, when the Government is not concerned whether there is an adjournment or not. The practice has been for the mover of the adjournment, or for some members of the House to ask the leader of the House if the Government will approve of an adjournment, and they invariably have made the motion with the concurrence of the Government. It seems to me that that is a very satisfactory position to take upon this question; that is to say, if there is a group of members in this House who are desirous of securing an adjournment, that they can make a motion to adjourn subject to the approval of the Government to that adjournment. That is the practice we have followed and it seems to me that it is not productive of any injurious results.

Hon. Mr. WATSON—Supposing you adopt this principle and the Senate should surprise the Government by adjourning when we had business to do.

Hon. Mr. LOUGHEED—You have misunderstood my position. It is that the adjournment should not be made without the concurrence of the Government, and that practice has been followed for some years. I am unaware of any such motion having been carried against the wishes of the Government. Invariably the wishes of the Government have been consulted, and I take it to be the case in this matter. May I further illustrate, in vindication of the position which I have taken that I should not move the adjournment, that a great number of the friends of the Government on this side are opposed to the adjournment and therefore hon. gentlemen cannot very well expect me to force a motion upon my own friends against their wish. I place myself entirely in the hands of the House on that subject, so long as the motion for adjournment is made subject to the concurrence of the Government.

Hon. Mr. CLORAN—The hon. leader of the House says there is no precedent where the House voted against the wish of the Government. I am only thirteen years in this House, but I remember several occasions when the late leader of the House, the hon. Secretary of State, Sir Richard Scott, decidedly opposed adjournments, and the Liberal party voted him down, and the hon. gentleman from De Lorimier was christened Minister of Adjournments. The hon. leader will remember that.

Hon. Mr. LOUGHEED—The House has been generous enough not to do it in my time.

Hon. Mr. LAVERGNE—Before I made this motion I spoke to the leader of the House and ascertained that the Government was willing to pass my motion because there was no business before the House, and I think there has been a great

deal of talk about little things. There is nothing before the House and there will be nothing during next week.

Hon. Mr. DOUGLAS—Hon. gentlemen must remember that no one can predict that there shall be nothing to do in the Senate for the next two weeks. A great deal may emerge in that time that would require our presence, and we ought to have some sort of conscience about us. Having accepted office under solemn oath it is not for us to play with our responsibility and refuse to attend to all the business that is necessary. It is not right for us to assume that nothing will be done. If we get to work for a week it is astonishing what we can do, either mischief or otherwise. Let us be fair to the country, fair to the people and to ourselves, and do something like square business in connection with the work of this Chamber.

Hon. Mr. WATSON—If the minister has any idea that this House is going to be required before Tuesday, I shall vote against the motion. If he thinks the House can stand adjourned until Tuesday the 22nd February, I shall vote against it.

Hon. Mr. LOUGHEED—I might say to hon. gentlemen that I know of no objection.

The House divided on the motion which was lost on the following division:

Contents 11, non-contents 20.

The Senate adjourned until Tuesday, 15th February, at eight o'clock.

THE SENATE.

Tuesday, February 15, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

NEW SENATOR.

William Henry Sharpe, of Lisgar, Manitoba.

BILL INTRODUCED.

Bill (D), An Act respecting certain patents of Stone, Limited.—Hon. Mr. McHugh.

CONSIDERATION OF DIVORCE REPORTS.

Hon. Mr. LOUGHEED—Inadvertently, before we adjourned on Friday last I moved that three reports of the Committee on Divorce be placed on the Order Paper for Tuesday, 22nd February. These reports might be disposed of at a much earlier date, and with the leave of the Senate I move that these Orders of the Day be discharged, and placed on the Orders of the Day for Thursday, 17th instant.

The SPEAKER—I would call the attention of the Senate to the fact that we are asked to alter the Orders of the Day in regard to Private Bills.

Hon. Mr. CLORAN—Let the leader of the Government move to suspend all rules.

The SPEAKER—If there is no objection at all the question might be put, but it is a departure from our procedure.

Hon. Mr. LOUGHEED—No one will raise any serious objection as to the reports in question.

The SPEAKER—Members who are not here are not able to make any objection, but supposing any member should object later?

Hon. Mr. LOUGHEED—I would point out to His Honour the Speaker that it is a matter entirely within the discretion of the House, and if the House choose to take the responsibility I am of opinion no injury can result.

Hon. Mr. DAVIS—There may be something in what the Speaker says. On several occasions I have desired to take some part in discussions on Divorce Bills in this House. If I happened to be absent and found on the Order Paper that a Divorce Bill was set for discussion on a certain day, and I had prepared myself to speak on it, and in the meantime somebody should move to have it discharged, and placed on the Orders for an earlier date, I might return to Ottawa and find that the matter had been disposed of, and I would be precluded from doing anything. It is a dangerous precedent.

Hon. Mr. LOUGHEED—It has been done before.

Hon. Mr. CLORAN—I have to second the remarks made by the hon. gentleman from the West. There is a good deal of wisdom in

the West. This is a dangerous precedent to establish. If the leader would amend his motion and state that this was not to be considered as a precedent and that the notices were given inadvertently for the 22nd, I would support the motion. The hon. gentleman from Prince Albert and the Speaker are absolutely right. His Honour did not raise an objection, but he gave us to understand that there was a danger in following the proposed procedure. Let the leader of the Government make it clear that this motion is not to be regarded as a precedent.

Hon. Mr. LOUGHEED—No motion that the Senate may pass will bind this House in the future. It was in anticipation of the House adjourning over this week that these notices were given for the 22nd. They are unopposed reports, and my proposition is that the adoption take place Thursday, but that consideration of the Bills take place at a later date.

Hon. Mr. CLORAN—Let it be so stated in the motion.

Hon. Mr. LOUGHEED—Oh no, it is unnecessary.

Hon. Mr. CLORAN—Let it appear that these measures were inadvertently placed on the Orders of the Day for the 22nd.

Hon. Mr. LOUGHEED—It will appear in the Debates.

Hon. Mr. CLORAN—Hansard is a very big thing to go through.

Hon. Mr. LAVERGNE—I am not opposing this motion, but I think the Speaker's remarks should be carefully considered. I agree with the hon. senators from Prince Albert and Victoria Divisions.

Hon. Mr. LOUGHEED—It is an unusual thing for His Honour the Speaker to direct the attention of the House to a matter of this kind. I must say that in my judgment this House is sufficiently seized of its responsibility without being specially directed by His Honour the Speaker, and when I make a motion of this kind I expect hon. gentlemen to fully appreciate the responsibility which rests upon them without emphasis being placed thereupon by the presiding officer of the Senate. I therefore withdraw my motion and will allow these Orders to remain on the Order Paper for Tuesday next.

The SPEAKER—I might say a word.

Hon. Mr. LOUGHEED—Yes, say all you like.

The SPEAKER—I called the attention of the House to the fact that a motion placed in my hands relating to an Order of the Day that had been set for the 22nd instant, proposed that it should be set for Thursday, the 17th, five days in advance. That is the only thing I have done. As to the propriety of the Speaker pointing out an objection if he finds one, I think it is his duty. If the House wants to take the responsibility of disregarding my objection well and good, but I think it is my duty to call the attention of the House to an irregular practice. I have nothing to do with that; the House is seized of the question. If the House wants to put the question, let the question be put, and I shall have no responsibility at all in the matter.

Hon. Mr. LOUGHEED—I have already said that I withdraw the motion. His Honour the Speaker has done all he could to block the motion, and therefore I withdraw it.

The SPEAKER—I think the hon. gentleman has no right to impute motives.

Hon. Mr. LOUGHEED—I state facts, not motives.

The SPEAKER—The fact is that we are asked to-day to put a motion that is not on the Order Paper.

Hon. Mr. LOUGHEED—It is withdrawn.

INDIAN RESERVES IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. What are the names of the chairman and the other commissioners, the secretary and assistant secretary at present acting on the commission appointed in 1912 to investigate the Indian Reserves in British Columbia?
2. When will their work be completed?
3. When will they make their report?
4. What has been the cost to the Dominion Government for remuneration to the commissioners, the secretaries, and others employed by the commission; also, their travelling and other expenses from the time the commission was appointed to the present date?
5. Has it been necessary for the commission to sit and inquire into the questions submitted to it on Sundays?
6. If so, why was this necessary?

Hon. Mr. LOUGHEED—The answers are:

1. Nathaniel W. White, K.C., chairman; J. A. J. McKenna, LL.D., commissioner; S. Carmichael, B.C.L., K.C., commissioner;

James P. Shaw, M. L. A., commissioner; Day H. Macdowall, commissioner; C. H. Gibbons, secretary.

2 and 3. It is expected that their work will be completed and their report ready at the end of the present fiscal year.

4. $154,469.90.

5 and 6. The Government has no information as to this.

Hon. Mr. BOSTOCK—I do not think that the last answer is very satisfactory. Perhaps I might be allowed to ask some other questions.

Hon. Mr. LOUGHEED—Certainly, my hon. friend can pursue the inquiry.

INVITATIONS TO CABINET.

Hon. Mr. DAVID inquired:

Is it true as alleged by M. Lavergne in the Legislative Assembly of Quebec, that following the last federal election, Messrs. Bourassa and Lavergne were asked by the late Hon. Mr. Monk, with the knowledge and consent of the Prime Minister, to form part of the new Government?

Hon. Mr. LOUGHEED—The answer to that is, No.

TRANSCONTINENTAL RAILWAY.

Hon. Mr. DAVID inquired:

Has the Transcontinental railway been operated between Winnipeg and Quebec as a through line, and will it be so operated in future?

Hon. Mr. LOUGHEED—The Transcontinental railway between Winnipeg and Quebec has not as yet been operated as a through line, but a plan of such operation is being considered.

REPRESENTATION IN THE SENATE.

Hon. Mr. CLORAN inquired:

Is it the intention of the Government to apply to representation in the Senate the policy or plan of campaign that now obtains, by mutual agreement or a tacit understanding, between the two political parties, Conservative and Liberal, in the House of Commons, regarding its representation; the said policy or plan of campaign to last during the course of the war, namely: that Conservative constituencies rendered vacant shall return to the House of Commons, supporters of the present Conservative Government, and that Liberal constituencies rendered vacant, shall return supporters of the Liberal Opposition, without having recourse to party election contests?

Hon. Mr. LOUGHEED—I am unaware of such an arrangement as stated in the question.

Hon. Mr. CLORAN—You personally, or the Government?

Hon. Mr. LOUGHEED—I am speaking on behalf of the Government.

Hon. Mr. CLORAN—No, I want a straight answer and I want it to go to the country.

Hon. Mr. LOUGHEED—You will have to be content with the answer I have given.

Hon. Mr. CLORAN—Do you say personally that you do not know? I will have to have an answer to that. I want the ruling of the Speaker on this thing.

The SPEAKER—The ruling of the Speaker is this, that when an answer is given the hon. gentleman must take it.

Hon. Mr. CLORAN—What answer?

The SPEAKER—The one given.

Hon. Mr. CLORAN—I have not heard it, and I want it over again.

Hon. Mr. LOUGHEED—I say that I am unaware of such an arrangement as the one the hon. gentleman has set out in his question.

Hon. Mr. CLORAN—Unaware? That is all right; put that down. Then I ask:

Will the Government adopt a similar line of action regarding vacancies in the Senate?

Hon. Mr. LOUGHEED—This is answered by my former answer.

Hon. Mr. CLORAN—Then I ask further:

If not, on what grounds of public policy and public interest will the Government refuse or fail to give the Senate equal rights in the matter of senatorial representation which at present exists in the Senate?

Hon. Mr. LOUGHEED—If my hon. friend will look at the British North America Act he will find that out.

Hon. Mr. CLORAN—I will look in the British North America Act and find that the House of Commons are not able to do what they are doing. What I want to know is whether the Government will apply to the Senate what they are doing in the House of Commons. The country must know; that is what I have got to say. I am going to take no back talk from the Government.

Hon. Mr. SPROULE—I rise to a question of order. I desire to ask your ruling Mr. Speaker, whether it is permissible to in-

troduce in a question a statement of fact. As I read this question it contains a statement of fact.

Hon. Mr. CLORAN—You are too late, I guess.

Hon. Mr. SPROULE—As it applies to all questions which may be put on the Paper, it is desirable that we should have a ruling of the Chair on that.

The SPEAKER—I think it would be a ruling just for the sake of having a rulling, because I find that all the questions have been answered, and the hon. gentleman is obliged to take the answers that are given.

Hon. Mr. CLORAN—Yes, you have no ruling to give.

The SPEAKER—There is no doubt that the objection would have been good if made in the proper time to prevent the answer.

Hon. Mr. SPROULE—What I wished to ascertain in drawing attention to the subject was whether my interpretation of the rule was correct, with a view to avoiding irregularities in the future.

Hon. Mr. CASGRAIN—I am afraid the hon. gentleman is out of order.

Hon. Mr. CLORAN—He is out of order.

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

THE SENATE.

Wednesday, February 16, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE LATE SENATOR YOUNG.

Hon. Mr. LOUGHEED—Before we proceed with the Orders of the Day, it is my sad and regrettable duty to make mention this afternoon of the death yesterday of our late colleague, Senator Young, of Manitoba. As I approached this building this morning, and saw, for the first time, the flag flying at half mast, out of respect for the memory of our departed colleague, I was impressed with that quotation:

> What shadows we are and what shadows we pursue.

I have been called upon so frequently within the last couple of years to perform a duty similar to that which I am endeavouring to discharge this afternoon, that the death of Senator Young has borne in upon my mind the futility and the vanity of our strivings, and our differences and ambitions. Any expressions of mine would but feebly voice the deep regret which is felt by all his fellows in the loss which we have sustained through the death of Senator Young.

During the last session of Parliament, he was with us contributing valuable services in all the duties which he assumed, but this session only his vacant seat and his memory remain with us.

He was one of the pioneers of his adopted province, Manitoba. He settled there when the boundless plains of the West were uncultivated and unsettled and lived long enough to see it one of the great granaries of the Empire. He was actively identified with not only the agricultural but the commercial interests of the province, to which he contributed much. For some years he occupied a seat in the Legislature of Manitoba, and while its Speaker, was one of its most popular presiding officers.

He was appointed to the Senate of Canada in 1900, and brought to this Chamber a wide experience and knowledge of parliamentary procedure and practice. He had a large fund of common sense and his experience of public life gained in the province from which he came, proved a valuable asset in the deliberations of this Chamber. The members of the Senate not only honoured him but honoured themselves in appointing him chairman of several of their committees, more notably the Railway Committee, of which he was the chairman at the time of his death. During the whole period of his membership of this Chamber he was one of the most active and valuable of its members and in his death we have sustained a loss which it will be difficult to repair.

He probably enjoyed a greater measure of popularity amongst his fellow senators than any other member of this Chamber. He possessed the peculiar charm of personality which appealed to all who met him and particularly to those who knew him best.

Political lines did not bound nor limit the friendships which he made, but of him it might truly be said, that his political opponents appreciated and valued his friendship and the clasp of his now van-

ished hand as greatly as his closest political friends.

We will miss him from this Chamber. The faculty has been given to few men to kindle within the breasts of their fellows that peculiar fondness and even affection which we felt towards Finlay Young.

He is gone, gone to his long and eternal rest. He is gone on that mysterious journey from which no traveller returns, but he has left behind him pleasant memories which will linger with us for years to come. Marble and bronze may record the deeds and attributes of the dead, but the pleasant memories, fragrant as spring flowers, which they leave behind to their fellows who survive them are more to be desired than the stately monuments which are builded to commemorate the lives of men.

I pay this small tribute to the memory of our departed friend and colleague, knowing that I but feebly express the sentiments of this Chamber and that I voice their feelings in saying that they place upon record their deepest and most profound sympathy with the family of our departed colleague in the great loss which they have sustained.

Hon. Mr. BOSTOCK—I feel that there is very little left for me to add to the kind remarks that have been made by the hon. leader of the Government in this House in reference to the loss which we have sustained through the death of our friend, Senator Young. His life was that of a man who thoroughly understood his responsibilities and his duties to his country. Born in the province of Quebec, removing to Manitoba in the year 1879, when it was in its infancy, he played a very prominent part in the development and up-building of that country; and it was due to him that after he came here in 1900, and previous to that time, a considerable amount of the legislation of the Dominion was drafted in a way that commended itself to the people of the West, and those who were responsible for this legislation adapted it to the requirements of the western country. Particularly in regard to the framing of the Grain Act and the formation of the Railway Commission, the advice of Senator Young was welcomed by those who had the authority for bringing those measures before the country, and I can say that the advice that he gave on those occasions had a very great effect in putting on the statute-books laws that have proved to be of very material benefit to the country at large and especially to the West. We all know of his capabilities and his work in this Chamber as a parliamentarian. I feel that very little more can be said in reference to the loss of our friend. He was beloved by all who knew him and was considered an upright and honourable man, whose life was an example to every one of us. I join with my hon. friend in extending our sympathy to his widow and the members of his family, to whom he was very dear.

Hon. Mr. LA RIVIERE—I have not had the opportunity of addressing this House recently, but I beg to do so on such a solemn occasion as this. It has been my good fortune to know our departed colleague for over thirty years. We sat together in the Legislature of Manitoba with a couple of other colleagues in this House, and from the first time that I met the Hon. Mr. Young I found that he was a straightforward, honest and well-meaning gentleman, with broad ideas; what he said he meant, and what he promised he accomplished. In this House, as has been properly said by the two hon. gentlemen who spoke before me, he acquired the same reputation that he had in the local Legislature of Manitoba, that of being a man of thought and a man of action, though he was not an orator. He was well versed in the complicated rules of Parliament, so that when he sat in the Chair here in Committee of the Whole he could maintain order, and he acted as a very clever parliamentarian. Now that he is gone, in the name of those whom I have the honour to represent in my adopted province of Manitoba, and even in the name of those who come from the province of Quebec, where Senator Young was born, we must regret that he should have departed this life at such an early age when there was open to him a very useful and promising future. I therefore endorse fully what has been said and readily join in the sympathy that we express to his family and his numerous friends in the province of Manitoba.

EXPLOSION IN A TORONTO CLUB.

Hon. Mr. BOSTOCK—Before the Orders of the Day are called I wish to inquire of the hon. leader of the Government if he has had any definite information about the rumoured explosion in a club in Toronto by which some lives have been lost.

Hon. Mr. LOUGHEED—None as yet.

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

THE SENATE.

Thursday February, 17, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SEED GRAIN INDEBTEDNESS IN NORTHWEST PROVINCES.

INQUIRY.

Hon. Mr. DAVIS inquired:

What amount of money has been collected on account of seed grain indebtedness in Manitoba, Saskatchewan and Alberta, in the years 1915 and 1916, giving same by provinces?

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

During 1915 and 1916 to date, collections which have reached Ottawa on account of seed grain indebtedness total $1,505,393.35.

These payments are not classified by provinces, consequently information is not available to answer questions exactly in form asked.

CONTRACTS FOR SUPPLIES AT STATIONS IN YUKON.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Who holds the contract for supplying the Blackwater and Bob-tail Lake stations on the Yukon telegraph line?
2. Did he supply the goods direct or through another?
3. Were tenders called for the supplying of the stations?
4. What sum per pound was paid for hauling the supplies to Blackwater and Bob-tail Lake stations, on the Yukon telegraph line, and to whom was it paid?

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

1. No contract; provisions are purchased at the most available points at market prices.

2. Answered by No. 1.

3. No.

4. Nine cents per pound to Thomas Blench.

BRITISH COLUMBIA BETTER TERMS COMMISSION.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Has the third commissioner been selected for the British Columbia Better Terms Commission?
2. If so, what is his name?
3. When was he appointed?
4. Has any work been done by the other members of the commission or by the secretary during the financial year 1915-16?
5. What has been the cost of the commission from 1st April, 1915, to the present time?

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

1. No, the question of the appointment of the third commissioner was under consideration by the Imperial authorities, but on the outbreak of war the matter was suspended

2 and 3. Answered by No. 1.

4. Yes, the secretary has been actively engaged in the public service since the commencement of the financial year 1915-16.

5. $1,530, part salary and part cost of printing.

DISMISSAL OF INDIAN AGENCIES IN SASKATCHEWAN.

MOTION.

Hon. Mr. RATZ moved:

That an order of the Senate do issue for a return of all papers, letters, reports and telegrams relating in any way to the dismissal of Mr. Chisholm, Inspector of Indian Agencies in Saskatchewan?

The motion was agreed to.

BILL INTRODUCED.

Bill (B), An Act respecting the patents of Harvey Hubbell.—Hon. Mr. McHugh.

PATENTS OF STONE LIMITED.

SECOND READING.

Hon. Mr. McHUGH moved the second reading of Bill (D), An Act respecting certain patents of Stone Limited.

Hon. Mr. DERBYSHIRE—I am against the renewal of patents all the way through. It costs the people more money; and I think the renewing of these patents from time to time is a great mistake for the country. It is one of the cases where we ought to sit down on it and keep it down. This Bill involves cost to the people, and this man in Toronto is to collect the money. The patent has run long enough now. I

believe that we should refuse all applications to renew patents unless good reasons can be shown for granting a renewal.

Hon. Mr. McHUGH—This question will come before the Miscellaneous Private Bills Committee, and if the applicant does not comply with the necessary regulations of the department it is not likely that he will be granted an extension of time. However, I now move that this Bill be sent to the Committee on Miscellaneous Private Bills.

Hon. Mr. DENNIS—Would not the hon. gentleman explain the Bill first?

Hon. Mr. SPROULE—In the case of a Bill of this nature I think it would be well to explain it so that the House would have some knowledge of it before proceeding further, because once it passes the second reading the principle of the Bill is accepted. I have no knowledge of the nature of the Bill.

Hon. Mr. McHUGH—I do not know that it has been the practice of the House to explain Bills of this kind before referring them to the committee. It all depends on whether the parties making the application have complied with the regulations of the department. These Bills are put into the hands of members of this House to present. That is the way this Bill has come to me. I know very little about it, except that it is for the renewal of a patent. The committee have to become fully satisfied as to whether the applicant has complied with the departmental regulations in the matter; so I think it can be safely entrusted to them, as the Commissioner of Patents attends the meetings of the committee to advise them in matters of this kind.

Hon. Mr. LOUGHEED—I might point out that the reason for the application is that the patent has expired on account of non-payment of fees as required by the Patent Act.

Hon. Mr. DANDURAND—That is the ordinary classical reason.

Hon. Mr. CASGRAIN—May I call attention to the practice of this House whereby Private Bills are sent to various select committees. I understand very well that we are committed to the principle of a public Bill on its second reading in this House, because public Bills do not go to the special standing committees. In the case of private Bills, however, we have special committees to investigate and hear the parties, and it would be very unfair for us to decide now and kill this Bill outright without hearing the parties. I have been some eighteen sessions in this House, and I have yet to know of an instance in which we have refused to send a Bill to a committee. The members of the House, following that long standing practice, do not always make themselves familiar with the details of a private Bill, expecting that those especially interested in the matter will appear before the Miscellaneous Private Bills Committee and there give the necessary explanation. I would therefore favour the sending of this Bill to that committee.

Hon. Mr. SPROULE—I do not desire to kill the Bill, but it is not printed in French. and as far as I know has not been distributed. I have not seen a copy of it, and I think it is customary on the second reading of a Bill of this nature to give the reasons why the applicants ask the patent to be renewed. No reason has been given, so far as I know, and my only object in asking that the Bill be allowed to stand for another day is to have an opportunity to see the Bill and know what it is, if the hon. member does not desire to explain it now.

The SPEAKER—The Bill is marked "Printed in English." If the hon. gentleman wants to raise a point of order he might raise the point that it is not printed in French.

Hon. Mr. LOUGHEED—It is the printed copy that he wants.

Hon. Sir MACKENZIE BOWELL—I have not seen this Bill, nor have other members who are near me. When was this distributed? My hon. friend to the left (Hon. Mr. Lougheed) handed me the Bill just now, but I have not had an opportunity of looking at it and knowing what its contents are. I need scarcely say to the Senate that I have repeatedly taken objection to the introduction of these Bills for renewal of patents for the simple reason that in too many cases they are held by intermediary parties who have purchased the rights, and keep them in abeyance until an opportunity presents itself to make money out of them. If my hon. friend the ex-Speaker of the House of Commons (Hon. Mr. Sproule) does not ob-

ject to the Bill being proceeded with on the ground that it is not printed in French, since this is the day when bilingual custom is considered very seriously by both English and French, I take the objection myself.

Hon. Mr. McHUGH—I have no desire to press the Bill to a second reading to-day, but I wish just to say this, that the Private Bills Committee have the regulations before them and if there has been neglect in payment of fees evidence must be furnished to show why. If the reasons given by the petitioners are considered valid the committee so reports and recommends the legislation. I think it is safe to let the Bill go, but I shall not press it if any one objects. I prefer that it should go to the committee, where the parties must put in satisfactory evidence as to reasons for the neglect of the payment of the fees, if they expect the committee to recommend its passage.

The SPEAKER—The question is on the second reading of the Bill. I understand objection is taken because the Bill is not printed in French.

Hon. Sir MACKENZIE BOWELL—Let the Speaker give his ruling.

The SPEAKER—I rule the Bill is out of order.

Hon. Mr. McHUGH—I move that the Order of the Day be discharged and that it be placed in the Orders of the Day for Tuesday next.

The motion was agreed to.

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

THE SENATE.

Friday February 18, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (F), An Act for the relief of Lena Pearl Potter.—Hon. Mr. Derbyshire.

Bill (G), An Act for the relief of Robert Napper.—Hon. Mr. Ratz.

Bill (H), An Act for the relief of Sherwood Norman Hill.—Hon. Mr. Ratz.

SALVATION ARMY INCORPORATION BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved the second reading of Bill (A), An Act respecting the Governing Council of The Salvation Army in Canada, and to change the name thereof to "The Governing Council of the Salvation Army, Canada East."

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

Hon. Sir MACKENZIE BOWELL—If the Senate desire it, I might enter into a full explanation of the workings of the Salvation Army and what they seek to accomplish by this legislation. They have been incorporated for the last seven or eight years. The operations and dealings with the various properties and personal effects of the Army, extending as it does now throughout the Dominion from the Atlantic to the Pacific, and even to the Yukon territory, make it necessary to divide the council of management of the Army, establishing a western branch and allowing the eastern branch to remain in full operation as at present, with some slight amendments which are of no consequence other than to give them better facilities for carrying on their operations. There are two Bills on the Order Paper. I may as well refer to both of them, as they are intimately connected with one another. At present the Army propose to confine the operation of the present council, as it is termed, to the eastern provinces of the Dominion, that is extending from Manitoba down to the Atlantic ocean. The other Bill (B) establishes, in almost the same language as the Bill now on the statute-book, machinery for the carrying on of the work of the Army from Winnipeg westward. The amendments to the present Act are very slight. One is to reduce the quorum of the council from five to three. They set forth very clearly in their petition the reasons for reducing it, leaving power with the council, however, to increase it to five, which is the provision of the present Act, should they find it necessary in the future. Their only object in asking for this legislation is to facilitate the operations of the Army, finding it somewhat difficult and cumbersome to do so under the existing legislation, owing to the great extent of the Dominion. It may be remembered, however, that the Act in this respect is very similar to that

which governs the management of banks and other corporations. As an illustration of this, the Roman Catholic Church divided its powers from the diocese of Peterborough up to the diocese westward, giving both corporations full powers throughout the whole Dominion. One can readily understand why this is asked. In case a bequest in which the name of the Army is mentioned, without designating which branch of the governing powers should receive it, there would be some difficulty in deciding where it should be applied. I might mention, however, for the information of hon. gentlemen that every one who has given any attention to this question knows that matters of bequests and wills are subject to the legislation of the different provinces, hence these Bills subject the operations of the Army Council to the laws that exist governing what is termed the granting of properties to religious bodies, or the law of mortmain as it exists in all the provinces. So there can be no fear, such as existed a great many years ago, before these laws were enacted, that advantage may be taken of parties on their dying bed, to influence them to dispose of their property as they would not do if they were in a condition to exercise their ordinary judgment. I have no doubt that every hon. gentleman understands what the laws of mortmain are, and this Bill brings the Army within their provisions. The other changes I think can be more properly discussed and considered by the Private Bills Committee, to whom I propose to refer these Bills. If there are any other explanations the Senate would like, I shall be glad to give them.

Hon. Mr. DOUGLAS—Allow me to ask, does this Bill embrace the old form of incorporating with a view to the possession of lands and the lending of money.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. DOUGLAS—And the holding of money on behalf of the people who have been brought in under the Immigration Act, for example. It is a very complicated Bill, and I am afraid that few in the House have taken time to give it that attention that its importance demands. Some four years ago, when this incorporation was before us, a large committee was appointed by the House, and we bestowed upon it a good deal of time and a good deal of labour.

Hon. Sir MACKENZIE BOWELL.

Hon. Mr. DENNIS—Not this one.

Hon. Mr. DOUGLAS—It embodies all the complications in the Act of Incorporation such as the Montreal Incorporation Act embraced for the settlement of incomers into the country, and also in the case of the York Company of Toronto, for example, and a number of others. I looked into this matter some four years ago and got the House of Commons to prepare a statement as to the number of people who had positively lost their hold upon the money they had paid, and lost their positions, and had to walk out and leave it in the hands of these corporations. Unless the fire has consumed it, I could produce a document showing where 80,000 acres of land had been taken out of the hands of those people by various corporations. The history of these corporations is bad and has always been bad. I remember when the leader of the House of Commons called attention to it he said, "I have nothing to say in commendation of these corporations: their history is bad, it has always been bad," and he was not at all disposed to give any additional power to these corporations to carry out their schemes at the expense of the incoming population. I do not wish to say any more just now, but I think the House ought to give the matter the attention that it deserves, and it might be well to carefully consider their attitude toward the incoming people and the inducements they hold out to the people. For example, they are ready to build bridges, to construct saw-mills or grist mills, and to take out of the hands of the provincial authorities a large amount of power which these provinces already hold and which it is their business to exercise without putting it into the hands of any religious denomination. I am not reflecting at all upon what is now and has always been in the hands of the Church, because they have possessed it and they are not coming up asking for any more. But the associations and the claims they wish to present are a new thing with the Salvation Army. They could get no such powers from the country in which they originated—from England for example. They could not get such powers from the United States, and the first departure in the way of granting powers along these lines was from our own Government some four years ago. It had not my hearty co-operation on that occasion, and I did not hesitate to say

that it was better for them that they should have no such power, that they would do more good for the country and accomplish more if they gave no attention to these wordly concerns, but left them where they ought to be, under the jurisdiction of the provincial authorities. I throw out these hints to show the House that these Bills call for a great deal of consideration and thought, and I am not prepared to offer such advice as I should like to give without having all the documents before me.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman made what would be an admirable speech if he were combating some organization that had been formed for the purpose of obtaining half the province of Saskatchewan, in order to injure incoming people. The hon. gentleman should know, as the petition points out, that this law has been upon the statute-book ever since 1909, and no power is asked by the Salvation Army to-day in addition to that which they obtained at that time. The only clause in the Bills relating to the reception of property is that they can receive and hold for their own use property to the extent, in the eastern portion of Canada of $50,000. In the western part of Canada, from which my hon. friend comes, they are to have that extended to $150,000, but the hon. gentleman will bear in mind that there is another provision compelling the Army, if they receive bequests to any greater extent, to dispose of them within a certain number of years.

Hon. Mr. DOUGLAS—Ten years.

Hon. Sir MACKENZIE BOWELL—But the Army is not asking for any powers other than those which they have enjoyed ever since the passing of the Act that is now upon the statute-book. What my hon. friend hopes to gain by delaying the further consideration of this Bill I am unable to see, and I am quite satisfied his remarks will not convince the Senate of the necessity for any such action as he suggests.

Hon. Mr. DOUGLAS—Excuse me a moment.

Hon. Sir MACKENZIE BOWELL—And I should like to know whether in the future —I do not wish to apply this remark to the Bill before us so much as to other Bills—in the consideration of the second reading of a Bill we are to adopt the practice that prevails in the Committee of the Whole, of discussing in detail the provisions of the Bill each member being able to speak a dozen or twenty times.

Hon. Mr. DAVIS—This is a private Bill and does not go to the Committee of the Whole. Many members will never hear it discussed.

Hon. Sir MACKENZIE BOWELL—That has nothing to do with the rule to which I have called the attention of His Honour the Speaker. If my hon. friend desires that these Bills should be referred to a Committee of the Whole, there is no objection.

Hon. Mr. DAVIS—I have on former occasions asked that that be done, and it was objected to because under the rules of the House private Bills never go to a Committee of the Whole. They are referred to the Private Bills or some other standing committee. Of course all senators have a right to attend the meetings of these committees, but we cannot attend four or five committees at once.

Hon. Mr. ROCHE—I was much pleased to hear the explanation of the Bill by the honourable gentleman who moved the second reading, and I was in hopes that the honourable gentlemen taking part in the debate would explain the religious principles of the Salvation Army as well as the measure, but we have been debarred from that. What I object to in the Bill, as briefly explained, is the consolidation of the management, the reduction of those who have control of the institutions from five to three. Those gentlemen who are familiar with the institutions of the Mormons will remember that the management is very much concentrated. If a Mormon wishes to purchase anything he is told by the managers of the Mormon corporation to deal with brother so-and-so, and the profits are supposed to enure to a great extent to the individual or individuals in the narrow circle of management. That is what I do not like in these institutions. I should like to see the management of the secular affairs of these corporation as broad as possible without inconvenience. With regard to the property that the Salvation Army might acquire, we all know that they rake up forlorn and unfortunate individuals who are seemingly abandoned by all the churches. I do not know that there would be any danger to the state or society from any vast accumulation of property of immigrants, or of those who may die while they are members of the Salvation Army. I think the danger from

the vast accumulation of property does not exist. It is imaginary because the adherents of the Salvation Army are largely of the very poorest class. Frequently they are brought in for the purpose of charity, and I can say that we take a great deal for granted for them. We ought to extend our charity as far as possible, because I remember the words of the Divine Founder of Christianity, "By their works ye shall know them." I believe they do work that no other church has done or can do, and for that reason I shall gladly support the Bill, provided that objectionable clause is eliminated reducing the management. The broader the management the better the institution which is under the control of individuals. For that reason I admire the Presbyterian Church, because I suppose to some extent I am a democrat, but with regard to the character and record of the Salvation Army we can do a great deal to assist them in their very laudable work in the community.

Hon. Mr. CASGRAIN—What is meant by the annual value of the real estate? Does it mean an income of $50,000 or that the value of the property would be $50,000?

Hon. Sir MACKENZIE BOWELL—I take it to be the annual value of the property.

Hon. Mr. DANIEL—It would be the rental value.

Hon. Mr. CASGRAIN—It must be the rental value. When I heard the hon. gentleman mention $50,000 in any one province, I knew it must be rental value, because in the city of Montreal they have property which I know to be worth a quarter of a million. There is no other institution more worthy to be encouraged than the Salvation Army of Montreal. I know of the good work they are doing all the time, and anything they can possibly do in the same line for poor people will be a very great benefit to the community as it has been in the past. As the hon. gentleman from Halifax has just said, they look after a class of people which apparently no church is looking after. They are the closest to my church of any I know of in looking after the poor people. It would be a pity to discourage the organization which was started by General Booth, which was essentially based on the relief of poverty, which is the very thing that made the movement so strong with the people, because the Salvation Army are all poor people. If they are to become, like other organizations, large owners of property, they will not do much good, because we know the founder of the Christian faith did not have a place whereon to lay his head. Poverty helped the organization. I have seen it at work in Glasgow, and I witnessed the very good work it was doing, but it always worked as a poor organization. Their first appeal to the people was that they were poor. If they are in any way departing from that, as the hon. gentleman said just now, in the interest of the institution itself, they should be debarred from the temptation of acquiring a lot of property. The acquisition of property has drawn people away from such work as this organization has been doing. In France, for instance, when wealth accumulated, the people turned against the church on account of its wealth, and would not contribute to its maintenance, so much so that the Government of the day had to impose a tax for the support of the church, and paid both the priests and bishops an annual stipend. The same thing applies to the Established Church of England. When they were wealthy the people did not go to them as freely as they do now. I think the Salvation Army should be encouraged, as much as possible, to keep up the good work they have been doing since General Booth started the organization, and to follow the same lines and not depart from them. During the time General Booth was at the head of the organization, I do not remember any legislation coming up from that body.

Hon. Sir MACKENZIE BOWELL—It is on the statute-book.

Hon. Mr. CASGRAIN—Then so much the better. I only rose to ask about the $50,000. I think it is an annual income, which would be the amount of revenue if they owned a million dollars worth of property.

Hon. Sir MACKENZIE BOWELL—Upon reflection I think the hon. gentleman is right.

Hon. Mr. CASGRAIN—As an outsider, I take a great interest in the Salvation Army. If you want to know whether applicants for relief are deserving or not, give your charities directly to the Salvation Army, and they will make an investigation, and they may come back and tell you that you have been assisting people that are not worthy of assistance; or, on the other hand, they may tell you that the people you have

been assisting are very worthy of assistance. They have means which the ordinary layman has not, of knowing those deserving of assistance. I know a case in point where quite an estate had been left, and the manager or executor of this estate had no means of finding one particular heir to the estate. It happened to be a poor working man in London, Eng.—

Hon Sir MACKENZIE BOWELL—I do not desire to interrupt the hon. gentleman, but the points he has raised are all covered by the laws of the different provinces, dealing with bequests and the Army will be subject to those laws in conducting their operations. I might be permitted to say to the hon. gentleman from Halifax (Hon. Mr. Roche) that I am not here to discuss the principles, or general views, or peculiarities of the members of the Salvation Army. This is not a Bill affecting their doctrines, nor the views which they may hold upon religious questions. It is simply re-enacting for the western portion of Canada, that which they enjoy in the whole of Canada to-day under the statute to which I have called attention. It simply enables them to carry on their work with less difficulty and less restriction than they have done, considering the negotiations which would have to take place throughout the Dominion from the Pacific to the Atlantic.

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

SECOND READING.

Bill (B), An Act to incorporate the Governing Council of the Salvation Army in Canada West.—Hon. Sir Mackenzie Bowell.

STONE LIMITED PATENT BILL.

SECOND READING.

Hon. Mr. McHUGH moved the second reading of Bill (D), An Act respecting certain patents of Stone Limited.

Hon. Sir LYMAN JONES—I do not rise to offer objection to the second reading, but I should like to have it understood that when it comes up for third reading, after an opportunity is given to hear the reasons why the bill is before the House, and why we are asked to re-instate these patents, four in number, we shall be privileged to discuss the merits of the Bill. Hon. gentlemen who have been for some years in this Chamber know that when Bills of this nature are being discussed I have in every case objected to such legislation. Canada in this regard has drifted into lines that do not appeal to me as in the best interest of the people, and in this regard I believe we are unique in our legislation as compared to any other countries where patent laws exist. I believe no Bill to reinstate a patent which has expired has been passed by the United States in its history. I believe that statement is correct also in regard to Great Britain and other countries which I might mention. I have taken considerable interest in endeavouring to see what the patent legislation was in other countries. I have been led to do that because from time to time this House has considered it desirable to reinstate, and has reinstated, patents in Canada on applications from foreigners. In this particular case the application is from a Canadian company. That commends it to my consideration more seriously than if it were an application from a foreign company, and especially from a foreign country where no such reciprocity in legislation would be possible. That is aside from the particular Bill that is before the House. But the principle involved is the same. In this case I believe the lapsing of the patent was due to non-payment of fees at the end of the first third of the term of eighteen years. The law in Canada provides that when an inventor takes out a patent he may, if he wishes, pay the one-third of the terminal fee which is paid to the Government, or he may pay two-thirds or he may pay a third every six years for for a term of eighteen years. It may be that the inventor thought that the value of this patent did not warrant him in going beyond the first of the three six-year payments, which is one-third of the total. There are many reasons which might occur to him. It would appear that there are four patents with reference to process in lithographing work. Stone Limited is a lithographic company, and I presume it is in connection with their particular business that they apply, but I have not seen the Bill. Once the patent has lapsed the control of the device, or the mechanism, or whatever it may be belongs absolutely to the people of Canada.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Sir LYMAN JONES—It enables the different organizations carrying out

works of a similar kind to profit by the experience of some one who, through carelessness or because he did not think there was value in the invention, or for some other reason did not see his way clear to continue the life of the patent. It enables all the people that are engaged in that line of business in Canada to profit by that new condition—

Hon. Mr. CASGRAIN—Without paying.

Hon. Sir LYMAN JONES—Without paying, and properly so, because the individual with his expert knowledge of that particular device may have allowed it to lapse, because he knew that in his particular business it had no value. It is true there is not in Canada, nor I believe in any other country, one patent in fifty which is of any real value. The percentage is considered to be even less than that. This may be a valuable patent, but once it has come to be owned by the people of Canada, they have the free use of all the rights. They have inherited it from the carelessness of the patentee, or otherwise if you like, but there should be some substantial reason given why the patent should be reinstated and controlled by some particular individual, before the Parliament of Canada says it shall be taken from the people. On general principles, that does not commend itself to the Parliament of Canada. I have no knowledge of the Bill, and I am simply taking advantage of the occasion to say what I have said before. For these reasons I would ask the mover—and I am sure he will be glad to acquiesce—to have it understood that when the Bill comes up for the third reading, and we know all the details, we may have all the privileges for discussing it that we would have on the second reading, and then let the House consider what action they should take.

Hon. Mr. McHUGH—I know just as little in regard to this measure as any other member. It was sent to me in the ordinary way that Bills are sent to be presented here. It is a private Bill, and if it is sent to the committee and reported back to us I do not think I or any one else could prevent this House from dealing with the report of the committee. It may come in a different form from the present draft and may be more acceptable. This House laid down years ago the principle that where these patents lapsed the applicants for renewal had to show reasons why they should be revived. There are cases where the patent lapsed through no fault of the patentee where hardships would be imposed if relief were not granted. I notified the solicitor that it would be his duty to appear before the committee and give valid reasons for the non-payment of fees to satisfy the committee that the Bill should be passed.

Hon. Mr. SPROULE—I think the hon. senator who has just taken his seat rather misapprehends the duty devolving upon any member of this House who takes charge of a Bill. The second reading is the stage at which some explanation ought to be given as to the nature of the Bill and why it is asked for, so that it will then be in the possession of senators; but if, on the other hand, a mere bald motion is made that the Bill be read a second time, and the next motion after that is that it be sent to the Private Bills Committee, very few members of this House will be in that committee room when the evidence is taken in regard to the Bill. Then it is reported back from the committee, and the next motion is either for the third reading of the Bill or that the report of the committee be concurred in. No more explanation is given to the House regarding the Bill than there was in the first instance. Now, that leaves members who do not attend the meeting of that Private Bills Committee absolutely in the dark as to what the legislation is, or why they are sanctioning it. For that reason I spoke yesterday, and I repeat to-day that I think the proper time for the Bill to be explained to the House is when the second reading is moved. Take this case. We are asked to renew four patents. There is no reason given why we are asked to renew them. Generally you hear various reasons given. One is, "These patents were in the hands of a solicitor, and I sent him the money, and he neglected to send in the money to the department in time." Well, that has been regarded often, when it has been clearly proven, as a substantial ground why that particular patent should be renewed; but there are many other reasons given. For instance, we are told that the patent was taken out for the term for which a patent could be secured and one-third of the fee paid. In the meantime nothing had been done; the holder of that patent made no use of it himself. Time runs on, another party seeing that the patent has expired because of non-payment of fees, takes it up, and

develops it, and shows the people of the country that it has a substantial value. He commences to develop and use it.

Hon. Mr. McHUGH—If he does there is a saving clause in this Bill to protect the right of any individual who has started to manufacture or in any way to use it.

Hon. Mr. SPROULE—I was going to mention that. There is that saving clause, and that is the only saving clause in the whole Bill, and I have so often heard it put forward as a sound reason why a patent should be renewed that it has become very commonplace to say the least of it, but it is not satisfactory to my mind. One man starts to use that patent and finds there is a substantial advantage to the public in it, and a great many others may be prepared to take advantage of it, but they are at once stopped. Some one finds that that patent is valuable, and goes to the owner to purchase it. The holder is prepared to sell for a substantial amount, but the patent has expired by the effluxion of time. Finding that he can make money out of it, he gets the patent renewed, and stops others who are prepared to go into the manufacture of the article, or to use the device, and the public are denied the advantage they might receive from the beneficial use of that patent because it has been renewed, and no one can use it without paying a very high figure for the privilege. Let me illustrate a little further. My hon. friend who is sitting beside me (Hon. Sir Lyman Jones) is a manufacturer of agricultural implements; here is an invention which he could use to advantage, but the patent has expired and his firm commences to manufacture the article. The owner of that patent gets it renewed and comes to him and says: "You cannot use that unless you pay me fifty, or one hundred thousand dollars for that," and my hon. friend is stopped from using it unless he is willing to pay the price. For these reasons there ought to be a very strong reason given for the renewing of patents. It should be made clear to us that the renewal is required on account of circumstances over which the owner has absolutely no control before feeling justified in renewing a patent. We always insert the saving clause which is in this Bill, that any one who has commenced to manufacture a patent in the meantime may go on and manufacture, but nobody else is allowed to take advantage of it. It seems to me the principle is bad; it is pernicious. Take automobiles, farm implements, and machinery of all kinds, and you find that one of the large items of cost is the immense price that manufacturers have to pay for patent rights they are using. It would be very much better if our patent law made provision that just as soon as a patent lapsed it expired for all time, and any one could use it or manufacture for the benefit of the users afterwards without fee or charge.

Hon. Mr. WATSON—There are two sides to this question. My hon. friend is quite right in referring to the hon. senator from Toronto, but I should judge that occasionally he will wait until the expiry of a patent before trying to utilize it. I remember some years ago that a patentee applied for a renewal of a patent for what was known as the Auer burner, that forms the mantel for the incandescent light used in burning gas. The committee were discussing this matter, and it was shown that the burner had not been perfected, and had that patent not been renewed I question very much whether the public would ever have got the benefit of the Auer burner, for the inventor was still working on it. His solicitor had neglected to pay the fee—and we know that solicitors are proverbial for keeping in their hands all the money that they get. The public may suffer from not renewing a patent where the patentee is working to perfect it. He has the idea and he wants to renew the patent for a second term. I think these measures should be referred to the committee. The Bills are all posted in the corridor stating when they are to be taken up by the committee, and any gentleman interested in this or any other Bill has notice to go to the committee and give his views, even though he cannot vote.

Hon. Mr. CASGRAIN—And the same in the House.

Hon. Mr. WATSON—And the same in the House. I think we may suffer from absolutely barring the right to renew patents. On general principles I agree with the hon. gentleman, that so soon as the patent expires if it is a useful device it should belong to the community, but in many cases you will find it a hardship to the patentee if he is not allowed to proceed with his patent. This Bill should go to the committee, and there we can hear the arguments advanced on behalf of the

applicant. This may be a patent that has not been perfected. I do not know anything about it, but we ought to give the owners a fair deal, and renew the patent if we think it in the interest of the public to do so. If the patent is to be used by the patentee for speculation, as described by the hon member for Grey, I am not in favour of renewing it, especially if others are using the device. Every inventive genius should get the benefit of the patent law.

Hon. Mr. CASGRAIN—The hon. member for Grey said that he did not want to kill the Bill. If he does not intend to kill it he should let it go to the committee.

Hon. Mr. SPROULE: All I asked was an explanation of the Bill at this stage. I am not finding fault.

Hon. Mr. CASGRAIN—This is a technical matter, and the hon. member who introduced the Bill (Hon. Mr. McHugh) told us that he is not familiar with all the details of a technical matter like a patent of any kind. It has been admitted by all the authors on parliamentary procedure that a standing committee of this House is qualified to deal with a matter of this sort, because they can hear evidence and can hear the parties, which the House cannot do. If no one here wants to kill the Bill, then let it go to the committee. We have plenty of time in the Senate for debate, but I see no reason why we should discuss private Bills as we have done in this case. Let it go to the committee where every one interested in the matter can be heard. The Bill may never come back from the committee, and in that case all this discussion would be absolutely useless; but if it should come back from the committee, any one taking objection to the Bill can do so when the report of the committee is before the House.

Hon. Sir MACKENZIE BOWELL—Does not the hon. gentleman think that any one in charge of a Bill in either branch of Parliament should furnish an explanation as to why the legislation is sought? I could have read a page of explanation about this Salvation Army Bill if any member had wanted it.

Hon. Mr. CASGRAIN—The hon. member for Hastings gave a very lucid explanation of the Salvation Army Bills. but that is not a technical matter like a patent. I believe if a brief on a patent, involving a great many technical matters of mechanism, were given to my hon. friend, he would find it a very difficult matter to give a lucid explanation of it in this House. I therefore think the Bill should go to the committee.

Hon. Sir LYMAN JONES—One of the reasons the last speaker has given why this ought not to be discussed here appeals to me as the very best reason why it should be discussed. We are discussing the Bill not upon the invention involved; no one in this House has any knowledge of what it is in detail; but it appeals to me to be peculiarly suitable that the principle involved in the renewing of patents should be discussed in this House. I cannot understand why the hon. gentleman should say that he cannot see any reason why it should be done unless it is proposed to vote out the Bill on the second reading if possible. I took pains to say that I was not going to object to the second reading, nor do I intend to, but this House should consider the principles involved in that class of legislation, and there is no better time than this to bring up the matter so that members of the House may give it thorough consideration. The hon. gentleman in charge of the Bill suggested—and I am sure he did not intend to exactly cover the ground he did in what he said—that this Bill should go to the committee, and that it may come back to the House materially changed. I think the hon. gentleman knows, if he will give it a minute's thought, that there is no question of any change in this Bill, and that that is an absolute impossibility in this House. The House is asked to reinstate these patents or not; they cannot amend a patent on an article which some one has invented and had in his possession for six years, and then come to the House and get new conditions either into or out of the Bill. It is just a matter of reinstating the patent and putting it where it would have been if it had been properly renewed.

Hon. Mr. WATSON—You know this House may renew it for three years or six years.

Hon. Sir LYMAN JONES—No, it is subject to the patent laws as they stand in our books and this House has no power to deal with it in the way of either lessening it or increasing it. I am sure the hon. gentleman (Hon. Mr. McHugh) in saying that did not have in mind that he was convey-

ing the impression that the committee might adjust the situation and make it more comfortable than the principle of the Bill alone permits it to be. There is nothing whatever in this Bill, or in any other patent Bill which comes before this House, except the principle of renewal. The hon. gentleman points out that there is a clause in this Bill which enables any one who has undertaken to use this device in the interim, that is, between the date of expiry and this, to continue to use it. I do not know what opportunity there may have been for that. It is true that there is such a provision in every patent which comes before this House. But to my mind that is no reason why the House should reinstate a patent. The House is not here to protect the second individual who wants to be protected by it any more than the first; the question is whether we should reinstate and put back the patent in the hands of the inventor or leave it to the public. It is known to hon. gentlemen that in some cases of this kind the patentee never made use of his patent. It had expired, and the expiry was for more than a year—considerably more in one case. Some company had taken it up to develop it, and had developed, and made a great success of it, and as a matter of fact had gone back to the individual patentee and through him made an application to this House to reinstate the patent, and the patent was reinstated. The individual got a small sum for the reinstatement, and the corporation developed it and profited enormously by the patent at the expense of the country. I give that as one individual case within my own personal knowledge. I am not coupling it with this Bill. I am only taking occasion to say this at a time when opportunity offers. This House should be most careful in deciding to put back in the hands of an individual something which by law he has ceased to possess, something which by law he had no more right to than any other individual in or out of this House who is a citizen of Canada.

Hon. Mr. CASGRAIN—The hon. gentleman has just said that the company developed this patent after going to the original man and getting him to apply for a renewal. Why would they not be entitled to get the patent?

Hon. Sir LYMAN JONES—Because no one can get a second patent on a similar device. If you are to get a patent, to be of any value, it must be something in advance of the state of the art at the period the patent is obtained.

Hon. Mr. CASGRAIN—Why should they not get it when they improve it?

Hon. Sir LYMAN JONES—They did not have an improvement so far as I know. If they could get an improvement that would be an improvement on a dead patent, it would be no use. I have had forty years' experience of patents and know something of the subject. What does a patent give to a man in Canada? It gives him a right to control his invention, if he can establish it in the court. The reinstating of this patent in no sense whatever transfers to the individual the right to control it. He gets the right to control it if the courts of Canada will uphold him.

Hon. Mr. CASGRAIN—What more do you want? Everything is in that position.

Hon. Sir LYMAN JONES—When the state of the art is looked into, if it looks as if he had priority of invention and the invention is useful and unique, his patent would be upheld by the courts and not otherwise. We are only holding to the principle, and it is the principle I am discussing.

Hon. Mr. POIRIER—How long is it since the patent lapsed?

Hon. Mr. McHUGH—When this Bill was sent to me I wrote to the solicitor about it. I said the practice of the House was to send these Bills to the Private Bills Committee where they had the Deputy Minister of Agriculture to assist them. I told him that he must be prepared when the Bill comes there to give evidence as to why the patent was allowed to lapse; that he must show cause, otherwise the committee would not recommend it to the House. The hon. gentleman remarked that I said it might come back in a different form. It may not come back at all. Unless the Deputy Minister of Agriculture approves of it, the committee will throw the Bill out. Surely when we have the knowledge possessed by the solicitor handling this patent for a patentee, and the knowledge we may gain from the deputy minister, who will be there to guide us, when the Bill comes back to the House we will be in a better position to discuss it.

Hon. Mr. POIRIER—I do not oppose the second reading of the Bill; I am simply seeking information. I should like to know how long the patent has been inoperative. That patent may be vested property of the public for years, and I do not believe the committee is dealing rightly with this House in furnishing us no information whatsoever. This patent may have lapsed for five or six years.

Hon. Sir LYMAN JONES—It lapsed the 10th of January, this year.

Hon. Mr. POIRIER—I have not read the Bill. What I surmised was possible does not exist.

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

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

THE SENATE.

Tuesday, February 22, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

PURCHASE OF OVERSHOES FOR FIRST CONTINGENT.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

What was the price per pair of the overshoes sent over to the first contingent in Great Britain and Flanders, who were they purchased from, and were they one, two, three or four buttons?

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

1. Price was $1.96 per pair.
2. Gutta Percha Rubber Company.
3. Two buckle.

PURCHASE OF MACHINE GUNS.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. What was the total amount of money subscribed throughout Canada by the people to provide machine guns for the overseas battalions?
2. What was the total amount received by the Government for the same purpose?
3. Can the Government give a list of the centres at which subscriptions were taken up, and the amount subscribed in each case?
4. What has been done with this money?
5. How many machine guns are supplied to each overseas battalion at the present time?

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

1. No information.
2. $661,272.45.
3. No
4. It has been placed at Receiver General's credit in a special account.
5. It is not in the public interest to give this information at this time.

BANKS PARTICIPATING IN NEW YORK LOAN.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

The names of the banks in the United States, also the names of the banks in Canada who bought or participated in the loan last August in New York? The loans were on one and two years notes, the amount of the loan was forty-five millions?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are: The public offer of $45,000,000 New York loan was signed by Messrs. J. P. Morgan and Company, Messrs. Brown Brothers and Company, Bank of Montreal, First National Bank and National City Bank in the order given. It is not known whether any of the banks mentioned actually purchased any part of the loan.

SECOND READING.

Bill (E), An Act respecting a certain patent of Harvey Hubbell, incorporated.—Hon. Mr. McHugh.

BILLS INTRODUCED.

Bill (I), An Act for the relief of Lillian May Dent.—Hon. Mr. Derbyshire.

Bill (J), An Act for the relief of Ida May Woltz.—Hon. Mr. Derbyshire.

Bill (K), An Act for the relief of Cecily Ethel Maude Farera.—Hon. Mr. Ratz.

RECONSTRUCTION OF PARLIAMENT BUILDING.

INQUIRY.

Hon. Mr. BOYER—Before we adjourn may I ask the leader of the House to lay on the Table a copy of the report of the two architects who have examined the Parliament Building? There was a report laid before the Commons last Monday, I believe.

Hon. Mr. LOUGHEED—I think the Minister of Public Works made a statement. Possibly a report was laid upon the Table; of that I am not aware. I shall be very glad to make an inquiry.

Hon. Mr. BOYER—I observe that the report was laid on the table of the House. If so, could we get a copy.

Hon. Mr. LOUGHEED—Yes. I shall be very glad to make the inquiry.

Hon. Mr. WATSON—I asked the Minister of Public Works to-day for a sketch or plan of the reconstructed building, to lay before the Committee of the Senate, of which I am chairman, and was informed that the architects had been instructed to make a sketch, which he hoped to have ready in two or three days, and he agreed to notify me when it could be had.

Hon. Mr. BOYER—A sketch?

Hon. Mr. WATSON—Those two architects, along with Mr. Ewart, are preparing a sketch which will be discussed between the Commons and the Senate, I understand.

Hon. Mr. BOYER—Is there any truth in the report circulated in Montreal yesterday that Messrs. Pearson and Marchand have been entrusted with the rebuilding of the Parliament Buildings?

Hon. Mr. LOUGHED—I am not aware of that.

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

THE SENATE.

Wednesday February 23, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

CONTRACT FOR TERMINALS AT CAPE TORMENTINE.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

1. The names of the contractors on the terminals at Cape Tormentine and Carleton Point, P.E.I., is the work being done by tender?

2. If so, what is the amount of the tender accepted, or if on a commission basis, what is the commission?

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

1. A. T. MacKie, Toronto, is the contractor for terminals, Cape Tormentine, P. E.I.; Roger Miller and Sons, Toronto, are the contractors for terminals, Carleton Point, P.E.I.; the work is being done by tender.

2. Tender accepted for Cape Tormentine at schedule rates, amounts to $571,590.56; tender accepted for Carleton Point at schedule rates, amounts to $949,250.

SALE OF SCHOOL LANDS IN NORTH-WEST TERRITORIES.

INQUIRY.

Hon. Mr. DAVIS inquired:

1. How many acres of school lands have been sold in the year 1915, in Manitoba, Saskatchewan and Alberta, giving provinces? What was the average price per acre received for same?

2. How much money has there been received on account of payments due and past due in each of said provinces in the year 1915?

3. How many acres are there under lease in each of said provinces, and how many acres was there leased in year 1915? What rental does the Government receive per acre a year for same?

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

1. Manitoba, 152·12 acres, average price, $12 per acre; Saskatchewan, 1,240·31 acres, average price, $14.60 per acre; Alberta, 146·46 acres, average price, $15.37 per acre.

2.	Principal.	Interest.	Total.
Manitoba.	$158,550 00	$ 59,657 54	$218,207 54
Saskatchewan. ..	246,200 89	121,242 52	367,443 41
Alberta. ..	107,941 43	53,930 24	161,871 67

3. Manitoba.—Hay leases, 153·97 acres at 25 cents per acre; Grazing permits, 16,627 acres at 6 cents per acre, issued in 1915.

Saskatchewan.—Hay leases, 432·60 acres at 25 cents per acre; Coal leases, 1,730·53 acres at 30 cents per acre, 858 acres at $1 per acre.

Petroleum and gas leases, 17,492·15 acres at 25 cents per acre for first year, and 50 cents each year thereafter.

Grazing permits, 893,480 acres at 4 cents per acre, issued in 1915.

Alberta.—Hay leases, 689·70 acres at 25 cents per acre, issued in 1915.

Coal leases, 4,761 acres at 30 cents per acre, 20,690·51 acres at $1 per acre.

Of above area, 68·80 acres leased in 1915 at $1; Fire clay, 319,·85 acres at $1 per acre; Petroleum and gas, 457,492·05 acres at 25 cents for first year, and 50 cents for each year thereafter.

Of this area, 7,250·25 acres leased for petroleum and gas in 1915.

Grazing permits, 535,921 acres at 4 cents per acre, issued in 1915.

Special leases.

Saskatchewan.—4·78 acres at 35 cents per acre per annum for Neudorf water supply; 624·06 acres at $1 per acre for Royal Northwest Mounted Police rifle range; 26·50 acres at 1 cent per acre for Antelope water supply.

Alberta.—640 acres at $1 per annum for section to Minister of Agriculture for Alberta, dry Farming experiments; 35·70 acres at $1 per acre per annum, municipality of Wainwright for park and agricultural grounds.

ASSISTANCE TO IMMIGRANTS AND UNEMPLOYED.

INQUIRY.

Hon. Mr. DAVID inquired:

1. Were measures taken by the Government to give effect to the resolution unanimously

adopted by the Senate in the last session asking that every assistance possible be given to induce immigrants and unemployed and destitute people to settle on our lands?

2. Have pourparlers taken place between the Dominion and the Provincial Governments in order to agree on the measures to be taken to that effect?

He said: In order that the members of this House may understand the answers which will be made by the hon. leader of the House to my questions, I thought it proper to cite the resolution which was moved by me last session and which was adopted unanimously, which reads as follows:

That in order to provide larger markets for our industries and remunerative traffic to our transportation lines, and to increase our population, and to promote the progress, the wealth, and the best interests of Canada, every possible assistance should be given in order to secure the development of our agriculture resources.

In support of that motion I made several remarks which I do not want to repeat. I tried to demonstrate that the development of our resources was the surest foundation of our national, moral and material welfare. I insisted on the necessity of helping the settlers, or would-be settlers, who would like to settle on land, but had no means to do it, and I cited the example of several states in the neighbouring Union which have taken measures to help such settlers, and supply the means of buying the necessary teams or implements to carry them over one or two years until they could make a living out of the land, and I quoted extracts from some of the most important newspapers of Canada urging the Government to do what has been done elsewhere with so much success. I concluded my remarks with the following words—

Hon. Mr. DOMVILLE—What is before the House? I do not see any motion here.

The SPEAKER—There is an inquiry.

Hon. Mr. DOMVILLE—Is it debatable?

The SPEAKER—It is not debatable, but the member who made the inquiry is explaining it.

Hon. Mr. DAVID—In concluding my remarks I said:

There may be differences of opinion on the steps to be taken in order to give 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 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 destitute settlers in the manner best adapted to the needs and requirements of each province.

I hope the hon. leader will be able to express views and opinions which will be acceptable to the country at large.

Hon. Mr. LOUGHEED—The answers to the questions are:

1. The Economic and Development Commission has been appointed to consider amongst other questions the possibility of "increasing the acreage under cultivation" and "of inducing the settlement of an agricultural population upon the fertile uncultivated lands in Western and Eastern Canada."

2. The commission will inquire into "the means by which the lines upon which the Federal Government, whether upon its own sole initiative or in co-operation with Provincial Governments, can best carry out an effective scheme of colonization."

Hon. Mr. WATSON—What progress has the Economic Commission made?

Hon. Mr. LOUGHEED—It is making a fairly comprehensive investigation into these questions at the present moment. As my hon. friend can very well understand, it is not a small question with which we are called upon to deal. This question of colonization or settlement necessarily involves a great deal of thought, and if carried out upon the lines suggested by my hon. friend from Mille Iles will involve a very large expenditure of money; but it is hoped that at an early day there may be some pronouncement on the question.

Hon. Mr. BELCOURT—Will my hon. friend tell us the personnel of the commission, if he has the names?

Hon. Mr. LOUGHEED—Yes, I can give my hon. friend the personnel of the commission. I may say that it happens that I am chairman of it. The other members are: Joseph Wesley Flavelle, of the city of Toronto. Mr. Flavelle has recently been appointed to the Imperial Munitions Committee, and the vacancy caused by his new

appointment has not yet been filled. At an early day it is hoped that it will be. The other names are: William Farrell, Vancouver, B. C.; S. Jean Baptiste Rolland, Montreal; Edward N. Hopkins, Moosejaw, Sask.; Hon. Wm. Benjamin Ross, Middleton, N.S.; Dr. John Gunyon Rutherford, Calgary, Alta.; William Smith, Esq., M.P., Columbus, Ont.; James Cameron Waters, Ottawa, Ont.

Hon. Mr. CASGRAIN—Are they all friends of the Government or are both sides represented on that list?

Hon. Mr. LOUGHEED—I have not made inquiries of those gentlemen. If they entertain a friendly feeling towards the Government it would be evidence of their good judgment and of their qualifications for the work of this commission.

Hon. Mr. DAVIS—Can my hon. friend give us an idea how many members of the commission are practical agriculturists or farmers, or know anything about farming? I know Dr. Rutherford, but not the others.

Hon. Mr. LOUGHEED—I should say my friend Senator Ross from Nova Scotia has a fair knowledge of farming inasmuch as he has one of the largest farms in Nova Scotia. Mr. Hopkins, of Moosejaw, I understand, has been a representative farmer, and has been president or vice-president of the Grain Growers' Association of the province of Saskatchewan. Mr. Smith, M.P. for one of the Ontario constituencies, is a very representative farmer. I might further say to my hon. friend that there are subjects other than that of agriculture which have to be inquired into; very large commercial, financial, transportation and other kindred questions come within the scope of the inquiry, and I think he will agree with me that it would be a rather ill-balanced commission if the entire personnel were farmers.

REFINING OF NICKEL ORES IN CANADA.

Hon. Mr. CASGRAIN rose to

Ask the Government if it is their intention now, to take the necessary measures to promote the refining of nickel ores in Canada.

He said: My inquiry has been on the Order Paper for a long time, and it may be difficult for the leader of the House to answer it in its present form; if so, I shall be quite content with any reply that he can give. I am sure it is not the desire of any one in this House to raise questions of a contentious character or which might in any way embarrass the Government at this time.

Hon. Mr. LOUGHEED—The Government has taken up the subject of refining nickel ore in Canada, with the company that controls those deposits in northern Ontario, and negotiations are now under way—in fact, I think they are almost completed, for the erection of a large smelter for refining as much of our nickel ore as can well be done in Canada.

Hon. Mr. BOSTOCK—My hon. friend referred to one company. I was under the impression that there were two interested in this matter.

Hon. Mr. LOUGHEED—I cannot speak with authority on that. I was under the impression that there was only one large company.

SALVAGE FROM PARLIAMENTARY FIRE.

Hon. Mr. CLORAN—Before proceeding wih the Orders of the Day, I should like to call attention to a very noteworthy incident that occurred during the recent conflagration at the Parliament Building. I allude to the salvage work that was accomplished by a very small body of men, young men at that. In the face of great difficulty and danger this small body of men rescued from the flames very valuable property, personal and otherwise. Not only did they do that, but they rescued from the flames valuable souvenirs of Canadian parliamentary and public life. Under those circumstances, having rescued these souvenirs which cannot be replaced by money, I say that the people of Canada owe them a debt of gratitude for their devotion in that perilous work in rescuing from the flames the treasures of the Senate and of the Parliament of Canada. For instance, they rescued the paintings of our Kings and our Queens which now grace the walls of this assembly and make it so homelike. They rescued a painting of incalculable value, of Queen Victoria in her Coronation robes which was hanging in the Senate Chamber and is now in the House of Commons. They rescued those paintings which you see here of our ancient Speakers of past days both before and after Confederation. They rescued the bust

of the Prime Minister, of the ex-Prime Minister, Sir Wilfrid Laurier, and I may add also that of His Honour the Speaker. I have consulted expert authority on the question of the material value of this salvage, and the answer was not in the tens of thousands but in the hundreds of thousands of dollars. These paintings on our walls are masterpieces, or as they say in French, chef d'ouvres, which cannot be replaced. One of them was painted by England's greatest painter, Sir Joshua Reynolds. That body of young meu acted in spite of orders from the military power, the Dominion police, the civil power and the city fire brigade to keep them out of the building. The Gentleman Usher of the Black Rod says that they were ordered out of the building. It was in flames; the roofs were falling; and the fire authorities —military, civil and others—said to them, "Get out." But a man, now on the floor of this House, said, "No, we will not retire from the firing line until we save what can be saved." And now we have a homelike appearance in the Senate, for which we can thank that body of young men, not more than eight or ten, under his gallant leadership and his energetic direction. Is it not fitting, under these circumstances, that this honourable House should recognize in some tangible fashion services thus rendered on a fateful occasion, let us hope never to be repeated in the history of Canada? I suggest most respectfully to the leader of this House and also to the Committee on Internal Economy that they take this matter into consideration and devise means whereby the services of those faithful young men, devoted to our interests, devoted to the national wealth of Canada, may be recognized in some handsome manner. In all our large centres of population when a large fire occurs, whether the sufferers are individuals or companies, what happens? The day after the fire those who suffered loss send a cheque to the fund for the relief of firemen's widows and orphans. Why should we not follow such a humane example of generosity and gratitude? I do not suggest what should be done or what amount should be paid, but the hon. leader of the Government here to-day with the Committee on Internal Economy should take the matter up and provide means to commemorate this memorable event. I submit one suggestion. I would have the names of those eight or ten young men engraved on a brass tablet to be placed in the Chamber of this House as a reminder that these faithful men saved the paintings of our Kings and Queens; nay, more, they saved the mace which now lies on the table reminding us of the authority of the King and of the loyalty that we owe to him. This is not a matter for the Government; it rests with this House, with its own funds, to extend recognition to those young men who were so devoted and faithful to our service.

Hon. Mr. BOYER—I am very glad my hon. friend has brought up this question. Speaking on this disastrous fire in another House, a member of Parliament said that the looting that night was disastrous. We ought to take up the motion of my hon. friend from Montreal and say to the world at large, as far as the employees of the Senate are concerned, they did their duty nobly and well, and I think a substantial reward should be given to them as an encouragement for the future and an expression of gratitude from the Senate. My first fear when I learned of the fire in Ottawa, was that our valuable collection of portraits of men that have helped to lay the foundations of the Dominion had been lost, and great was my delight when I saw that each and every one of these great men's portraits, which cannot be replaced, had been saved, and remain the property of the country. I regret very much the destruction of the painting in the Railway Committee room of the House of Commons, entitled "The Fathers of Confederation." In that picture we had the portraits of all the great Canadians who, from 1865 to 1876, helped to found the Dominion of Canada. They were lifelike portraits. Unfortunately there is no duplicate of the picture, and I am sorry to say that it is lost for ever. The group was assembled in the illustrious old Parliament House that stood on the rock in Quebec. In the distance you had the noble St. Lawrence and across the river the fortresses of Lévis, and seated at the table were such men as have given us the constitution we now enjoy. That picture has been lost to the country. Too little care is taken in this country of our record of deeds of valour. We should inscribe in our Minutes the noble deeds done by the small staff of the Senate. We should do so, as a protest, against the words that were sent broadcast throughout the country that

the looting the night of the fire was disastrous. None of our desks were touched. None of us missed even a pen-holder from his desk. Where the looting comes in I am at a loss to understand. As far as the officials of the Senate were concerned, I think we should say that they did their duty nobly and well, and it is our duty to make this statement publicly so that it may be sent broadcast over the country.

Hon. Mr. LOUGHEED—I quite join with my hon. friend from Montreal who has brought this matter up in the appreciation which he has expressed of the services rendered by the Gentleman Usher of the Black Rod and other employees of the Senate. I was present on that occasion and witnessed what they accomplished. As to any tangible recognition which we can give to the officers and employees of the Senate for their service on that occasion, I cannot say anything at the moment, but I shall be very glad to act upon the suggestion of the hon. gentleman from Montreal, and direct the attention of the Chairman of the Internal Economy Committee, when he returns to Ottawa, to the expressions of appreciation which we have heard this afternoon, and the desirability of some recognition being given to the officers and employees of the Senate for their services on the occasion referred to.

SECOND READING.

Bill (F), An Act for the relief of Lena Pearl Potter.—Hon. Mr. Derbyshire.

Bill (G), An Act for the relief of Robert Napper.—Hon. Mr. Ratz.

Bill (H), An Act for the relief of Sherwood Norman Hill.—Hon. Mr. Ratz.

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

THE SENATE.

Thursday, February 24, 1916.

The Speaker took the Chair at Three o'clock.

Prayers and routine proceedings.

COST OF SUBWAY AT MONCTON.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

1. What is the cost of the subway under Main street, Moncton, N.B.?
2. Who were the contractors, and what was the contract price?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's question are:

No. 1. One hundred and six thousand nine hundred and sixty dollars and twenty-seven cents ($106,960.27) exclusive of property damage claims not settled.

No. 2. Soper & McDougall, Ltd., and Rhodes, Curry Co., Ltd., schedule prices.

MAIL SERVICE BETWEEN QUESNEL AND PRINCE GEORGE.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. How much has the Inland Express Company received to date for carrying the mail from Quesnel to Prince George?
2. Did the Government call for tenders for the performance of this service?
3. When was the contract let, and for how long?
4. Is payment made at so much per mile or in a lump sum for the whole mail route?
5. To whom is the payment made?
6. Were any alterations made in the terms and conditions of the contract for the year 1915 different from those in the contract for the year 1913?

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

1. James C. Shields is the contractor for the mail service in question, which is a portion of the through mail route between Ashcroft and South Fort George. The department is not aware of the amount paid by the contractor to the Inland Express Company for the portion of the route referred to.

2. Tenders were not called for in the usual way, but the contract was arranged for a period of two years from the 1st October, 1913, after considering the offers of two companies which, by their strength and knowledge of the work, were in a position to handle the contract in the public interest.

3. From the 1st October, 1913, for a period of two years.

4. A lump sum for the whole mail route.

5. The Royal Bank of Canada, attorneys for the contractor.

6. The only alteration made in the terms and conditions of the contract on the renewal of the service for the year 1915, was a pro rata reduction made by the abolition of that part of the mail service from Ashcroft to Lillooet.

UNCLAIMED BALANCES IN BANKS.

MOTION.

Hon. Mr. CHOQUETTE moved:

That an order of the House do issue for all correspondence from the first of January, 1916,

between members of the Senate, persons or financial institutions and the Government, the honourable the Minister of Finance or Sir Thomas White, personally, relating to the use of unclaimed balances of moneys in the banks for patriotic fund purposes.

He said: In looking over the annual statement of unclaimed balances in banks, amounting to over one million dollars, it occurred to me that just now, when increased revenue is required to meet the expenses of the war, it would be well to give this million dollars to the Patriotic Fund. I find that there is a sum of over eight hundred thousand dollars in the banks unclaimed for many years. Moreover, there is a further amount of over two hundred thousand representing unpaid drafts and cheques which have been accepted by the bank, but never presented for payment. These two items, unclaimed balances and unpaid cheques, amount to over one million dollars. I took the liberty to write to the Minister of Finance, suggesting that it would be a good thing to amend the Bank Act and declare that after sixty days' notice, all the balances still unclaimed should go to the Patriotic Fund. The answer from the Finance Minister, unfortunately—for what reason I do not know—was marked "personal." The press of the country, French and English, friendly to the Government, stated that it would be a good thing to act on my suggestion.

Hon. Mr. DAVID—Under the law, have the banks the right to confiscate these unclaimed balances after a certain number of years?

Hon. Mr. CHOQUETTE—I do not think so. That might be an amendment to the law which should be made.

Hon. Mr. LOUGHEED—Has the hon. gentleman looked into the section of the Bank Act making provision for the reversion of these unclaimed balances to the Government after a certain period?

Hon. Mr. CHOQUETTE—That is what I am suggesting.

Hon. Mr. LOUGHEED—My hon. friend is aware that after a certain period goes by these funds become the property of the Crown.

Hon. Mr. CHOQUETTE—I was told that it was after five years; at any rate, there is a million dollars in the banks which the Government can claim now if they will. As I have explained, the Minister of Finance marked his letter to me "personal." I asked him if he would allow me to make the letter public, and he answered that the matter had been brought before the public.

Hon. Mr. LOUGHEED—Do I understand that this million dollars is the property of depositors?

Hon. Mr. CHOQUETTE—Yes.

Hon. Mr. LOUGHEED—And that the period during which these unclaimed balances may be withdrawn by the owners has not expired?

Hon. Mr. CHOQUETTE—Yes, the owners can get the money if they show they have a right to it, but they have not done so.

Hon. Mr. LOUGHEED—It would be equivalent then to confiscating the money on deposit.

Hon. Mr. CHOQUETTE—But the banks are confiscating the profit. I may be told: "It will be infringing on individual rights if you take the money from the banks." That may be true in one sense, but the banks are infringing on the rights of the people who deposited that money. I asked the Minister of Finance to permit me to make public use of his letter, but he said the answer was personal. Therefore I have placed this matter before the House, asking for these documents, and then the public can take notice of the matter. This million dollars of unclaimed balances produces large profits to the banks. They loan the money at 6, 7 and 8 per cent, and have the benefit of it as though it were part of their capital. I have no objection to the banks making money. If I were a shareholder of a bank, which unfortunately I am not, I should be glad to get a good dividend; but in time of war when everybody is to be taxed to the utmost, these unclaimed balances should be used to lighten the public burden. We might amend the Bank Act, giving sixty days' notice before this money should be confiscated. If instead of keeping the money in the bank, where it is profitable only to the bankers, it were transferred to the coffers of the Government, it might be paid back to those who could establish their right to it. In this way the Finance Minister, instead of borrowing money at four or five per cent, would have this amount at three per cent, the rate of interest allowed by the banks. It should be easy to devise some means whereby this money can be made useful to the public and those who need it. This

idea has appealed to the press of both sides of politics; both the French and the English press have thought there was something in the suggestion.

Hon. Mr. DAVID—I am inclined to think that a good part of those balances has already been confiscated under the law, but a good part of them might be disposed of in the manner suggested by the hon. member from Grandville. It would be the most patriotic use that could be made of the money, and I think the suggestion deserves the consideration of the Government.

Hon. Mr. DAVIS—This question was discussed—at least I took some part in the discussion of it—when the Bank Act was under consideration some time ago. As a matter of fact, the bankers of the country did not bother themselves very much to let anybody know that there were unclaimed balances. On one occasion I read the list of unclaimed balances in my own town, and found there were 25 or 30 residents who had unclaimed balances to their credit and did not know it. The banks had not notified them, but I told them and they went and drew their money. I think there is some legislation for confiscating those balances or getting possession of them at the end of a certain time.

Hon. Mr. McSWEENEY—Is there such legislation?

Hon. Mr. DAVIS—I think there is. Now, this money, after a certain time, belongs to the Government, so it does not appear that it makes much difference whether the Government give this money to the Patriotic Fund or confiscate these balances. If they have not carried out the legislation they are to blame. The machinery is there to take the money, and the Government should take it because the banks have not shown any desire to inform the people about these balances. I suppose the banks wanted the money to use.

Hon. Mr. SPROULE—Some years ago I was one of the members of the other House who tried to get legislation that would compel the banks to hand over these unclaimed balances to the Crown, in the same way that unclaimed property is escheated. If an individual owning property dies without heirs or there are no claimants for the property, it becomes escheated and remains the property of the Crown. I know of instances in the province of Ontario in which after protracted litigation, that was the final decision, and ever since the principle has been recognized as a correct one.

Hon. Mr. DAVIS—Was it adopted?

Hon. Mr. SPROULE—It was, with reference to real estate and personal property. If there was no claimant and the heirs were all dead, so far as known, the property was escheated to the Crown.

Hon. Mr. DAVID—That is a special case.

Hon. Mr. SPROULE—The banks often become possessed of property belonging to others. Sometimes parents will deposit money in a bank for a child, and that child cannot claim the money until it becomes of age. Through accident or sickness the parent dies, and the child knows nothing about it. The child may die, or the family move away, but the bank takes good care never to allow that information to get out.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. SPROULE—And they keep the money for ever, for all practical purposes. Many instances are known where the banks have become possessed of money in these and various other ways and have given no information regarding it. I believe it is an admitted principle of the banks that they do not say anything to the outside world about their accounts. Therefore they kept these balances and the rightful owners, knowing nothing of it, never got the money. One of the hon. members from the West referred to the effect in his own locality of the publication of unclaimed balances under the Act passed many years ago. The Bill was introduced for the purpose of compelling the banks to hand over these unclaimed balances to the Crown. The fight was kept up for a long time. There were a few of us who were determined to pass the Bill if we could, but of course fighting banks is a pretty big contract. We had a lively contest, and for some time did not succeed. Finding that we were not likely to accomplish our object entirely, we had a conference with the Right Hon. Sir John A. Macdonald, who suggested that as half a loaf was better than no bread, perhaps we had better be satisfied to let the Government introduce a Bill to compel the banks, after this money had remained in their possession for five years, to publish the fact. That, he said, would

require the preparation of an annual report and the public would know, if they troubled to look, if they had money in the banks to their credit and would go and get it. We decided to accept that because we believed we were scarcely able to force the Bill through the House. After that return was made I know of several men who discovered that there were unclaimed balances in the very banks with which they were dealing. Their original account had been closed: subsequently they opened accounts in the same banks in which money was standing to their credit. In one bank, to my knowledge, no mention was made to them that they had money standing to their credit, although they had been dealing there for years, until the list of unclaimed balances was published. Then one of the parties demanded his money and of course got it. I merely cite that as an illustration of how money was retained by the banks although they knew the owners very well, and it was only when the lists were published and when the money was known to be in their possession that they handed it over. Did I understand the leader of the House to say that the Bank Act was amended to compel the banks to give over this money after a number of years? If so, I am not aware of it.

Hon. Mr. LOUGHEED—I did not say that it was.

Hon. Mr. SPROULE—I have watched this subject pretty closely for twenty-five years, but I have no remembrance of any such amendment being passed. I never could understand why if there is no claimant or owner for a money balance it should be dealt with otherwise than the law provides for real or personal property for which no claimant or owner appears. In the latter case the property is escheated to the Crown and in my judgment the unclaimed balance ought to be treated on exactly the same principle.

Hon. Mr. DANDURAND—I will not express any opinion on the motion made by the hon. gentleman from Grandville until the matter comes up regularly on the production of the correspondence. I only rise to make this remark, that some hon. gentleman has spoken of a bank having knowledge of a special deposit lying idle for years and yet doing business with the same party on a current account. The unclaimed balance may have been a savings account, and the party would not be notified by the bank that he had a bagatelle, a few dollars or a few cents, remaining of an account that he had neglected to close. There should be more precision in the affirmation that the bank knew that a certain client had a deposit that he seemed to have forgotten all about. The bank is composed of the manager and a number of employees. I would affirm that the manager does not know anything about these accounts except as he sees them when the clerk brings to him the accounts that have not moved for the preceding five years.

Hon. Mr. GORDON—Well, he should know.

Hon. Mr. DANDURAND—I know of bank directors who had forgotten, until they saw the published list of unclaimed balances, that they had themselves neglected to deal with certain accounts which they had in their own bank. To speak of a bank having knowledge of an unclaimed balance, and concealing the fact with a desire to retain that account, is most amusing.

Hon. Mr. GORDON—With regard to what my hon. friend from Grey has said, I think the Bank Act states that after a certain length of time this money is paid over to the Government, but even after that time a depositor has the right to withdraw it. With regard to what my hon. friend who has last spoken said, even since the last statement was issued, I know of at least thirty, and perhaps forty, people living in the very town in which they had deposits to which they were entitled and of which they had never been notified by the banks. My hon. friend claims that this is really not an oversight, but attributable, perhaps, to press of work on the part of the manager; but I would just point out to him that, according to the Bank Act, the bank is supposed to notify depositors.

Hon. Mr. DANDURAND—Would my hon. friend read that clause in which the bank is supposed to notify depositors that they have money on deposit that they are not claiming?

Hon. Mr. GORDON—Yes, if I have time I may point that out to my hon. friend. They are supposed to send notice to the last address.

Hon. Mr. MITCHELL—I think the auditor has to do that periodically every year, two or three times a year.

Hon. Mr. GORDON—I am sure that they have to send a notice to the last known address of the depositor. I am satisfied I can give my hon. friend the section.

Hon. Mr. DANDURAND—My hon. friend is in error.

Hon. Mr. GORDON—If my hon. friend wishes it I can give him the addresses of twenty-five or thirty people living in a town where they were well known by the bank and the bank manager, who did not receive any notification of those moneys being there.

Hon. Mr. DANDURAND—What prevented them from claiming that money or withdrawing it?

Hon. Mr. DAVIS—They forgot they had it.

Hon. Mr. GORDON—They did not know it was there. Only last year I had occasion to write to as many different people as I have mentioned with regard to this matter, pointing out that money was in the bank—in some cases not to their credit, but to the credit, for instance, in one case, of the husband of a lady to whom I wrote. If notification had been sent to that lady, who was living in the same town, of course it would have been received; but I claim that those notifications are not being sent out as they should be.

Hon. Sir MACKENZIE BOWELL—Was the husband alive?

Hon. Mr. GORDON—No, he had died, and the money was in his name in trust. While on my feet I should like to say one thing more—that I hope the next time the Bank Act comes up for revision, provision will be made that all this money which is lying on deposit and drawing no interest shall draw interest.

Hon. Mr. CASGRAIN—It is drawing interest.

Hon. Mr. GORDON—I do not think it does from the time the account is closed.

Hon. Sir MACKENZIE BOWELL—No, it does not.

Hon. Mr. GORDON—I think it should be drawing interest for all that time, and even when it is taken over by the Government.

Hon. Mr. CLORAN—I generally look for light in the discussions in this House, but I am in darkness just now. We have a gentleman from Nipissing, making plain statements to the House regarding the statutes and the governing of the banks. On the other hand, we have the hon. senator from De Lorimier, a director of the Montreal Savings Bank, flatly contradicting those statements. Which of the two men am I to believe, the director of the Montreal Savings Bank or the financier from the county of Nipissing?

Hon. Mr. WATSON—Take your choice.

Hon. Mr. CLORAN—"You pays your money and you takes your choice," That is a nice condition of things to be confronted with. Here are two hon. senators, financially active men; one, knowing all about banks, gives to this House a statement of the records and government of banks and depositors and the rights of depositors. He is flatly contradicted by the hon. gentleman from De Lorimier. I am still in darkness. I know that members of my family have had accounts lying in banks for 20 or 25 years, and I never knew anything of them until I saw them published in the press. I then ascertained that some of my children had bank accounts 25 years old, several hundred dollars. I saw my name one day in the accounts published in the press of deposits in the Montreal Savings Bank. I said, I have no such account in the bank, it is one of my children. There is something wrong in all this.

General the Hon. Mr. MASON—It has been stated that no notification is sent to a depositor. On proper inspection of a branch, the balances in the ledger must be verified by depositors and a notice is sent to each depositor. It has been said that interest has not been added to the unclaimed balance. With all due respect to the hon. gentleman from Nipissing, I think that is a mistake. Then, further, the blue-book shows clearly and distinctly, the bank, the name of the depositor, and the amount of the unclaimed balance.

Hon. Mr. LOUGHEED—I might say to hon. gentlemen who are discussing what, seemingly, to them is a very controversial question, that if they will look at section 114 of the Bank Act they will find that it throws upon the bank the responsibility of

stating in their returns to the Government, after the expiration of five years, the unclaimed balances which they hold; that is to say, if there has been no transaction concerning a balance during that five years, that duty is then cast upon them and also the duty of notifying the depositor, if they have his address, of that balance standing to his credit.

Hon. Mr. CLORAN—Is the bank obliged to publish that in the press? Simply sending it in a report to the Government is no intimation to the depositor.

Hon. Mr. TESSIER—They have to notify the party.

Hon. Mr. CLORAN—They send information to 108 St. James street, Montreal, for instance, when the party might be living in Timbuctoo or anywhere else. Is the bank obliged to publish in the press the accounts as contained in their ledger or in their books? I am told that has been stopped. How will a depositor know what returns are sent to the Government? He might find out from the public press that he had an account which by his own neglect had been overlooked, ranging perhaps from $1 to $100, and anywhere from that to many thousand dollars. I hold that the banks should be required to publish all these details in the public press.

Hon. Mr. CHOQUETTE—There appears to have been some contradiction about the interest and about notices. The clause which the hon. leader placed before the House is very clear, but there is one point in regard to which there is no contradiction whatever, that is the fact that there is over a million dollars unclaimed which is held by the banks. I ask the Government to take that money and put it in the Patriotic Fund, in order that the public may benefit by it, and it is because notice is not given the depositors that I suggested that if such a law is passed to take the money from the banks, the Government ought to give 60 days' notice in the Official Gazette and the public press to all those whose names appear in the list of unclaimed balances, and that if these parties do not claim their money in 60 days, it should be assumed that they are willing the Government should take the money for the Patriotic Fund.

Hon. Mr. SPROULE—With reference to a disposal of this money, I do not know if I understood the hon. leader of this House. He said the banks made a report to the Government.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. SPROULE—But they still retain the money?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. SPROULE—I pray the indulgence of the House to cite a case of which I was given information. A father put some money away for one of his children until the child became of age. The father was killed in a railway accident, and the child afterwards died of a disease, and the mother moved out of the country. Whom would the bank notify?

The motion was agreed to.

BILLS INTRODUCED.

Bill No. 4, An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

Bill No. 11, An Act respecting the British American Nickel Corporation, Limited.—Hon. Mr. McHugh.

Bill No. 12, An Act respecting the Calgary and Edmonton Railway Company.—Hon. Mr. Talbot.

Bill No. 14, An Act respecting the Central Western Canada Railway Company.—Hon. Mr. Watson.

Bill No. 16, An Act respecting the Quebec, Montreal and Southern Railway Company.—Hon. Mr. Beique.

Bill No. 20, An Act respecting Queen's University of Kingston, and to amalgamate therewith the School of Mining and Agriculture.—Hon. Mr. Taylor.

Bill (L), An Act respecting the Atlin Railway Company.—Hon. Mr. Derbyshire.

THIRD READINGS.

Bill (F), An Act for the relief of Lena Pearl Potter.—Hon. Mr. Derbyshire.

Bill (G), An Act for the relief of Robert Napper.—Hon. Mr. Ratz.

Bill (H), An Act for the relief of Sherwood Norman Hill.—Hon. Mr. Ratz.

SECOND READINGS.

Bill (I), An Act for the relief of Lillian May Dent.—Hon. Mr. Derbyshire.

Bill (J), An Act for the relief of Ida May Woltz.—Hon. Mr. Derbyshire.

Bill (K), An Act for the relief of Cecily Ethel Maude Farera.—Hon. Mr. Ratz.

SERVICE ON THE TRANSCONTINENTAL.

Hon. Mr. CHOQUETTE—Before the House adjourns I wish to lay before the House, and especially before the hon. leader, a most important question relating to the Transcontinental railway. A few days ago the hon. gentleman from Mille Iles (Hon. Mr. David) put the following question to the hon. leader of the House:

Has the Transcontinental railway been operated between Winnipeg and Quebec as a through line, and will it be so operated in future?

And the hon. leader gave the following answer:

Hon. Mr. Lougheed: The Transcontinental railway between Winnipeg and Quebec has not as yet been operated as a through line, but a plan of such operation is being considered.

So far so good; we all know that there is a kind of operation on that road, a train three days a week as far as Cochrane. That is better than nothing, and it is not that to which I am objecting. Of course I would prefer a daily service, but the public objects to the character of the service and desire that the Transcontinental be operated in such a way as to give satisfaction. I have in my hand articles from newspapers friendly to the Government, stating that people on that line are treated in a way that you would not treat cattle, and in order to save time I shall read a few of these remarks which have been reproduced in the press. This is a Government railway, and I must say that sometimes the Government is unjustly attacked because the employees do not do their duty. People blame the Government. The statements in the document I am about to read are absolutely true. This is an article published at St. Maurice and reproduced in a Quebec paper, and reads as follows:

The Service of the Transcontinental.

We can never give too much publicity to the infamies committed on this railway.

We can never be made to realize the egotism and the fanaticism that characterize the chief officers of this road.

I went to La Tuque last week, and had a nice experience during the twelve hours that we had to wait in that repulsive box that is called a passenger car on the Transcontinental. This car, hardly good enough to carry the Italians and the Poles when the road was being constructed, was the only one lighted. The other car was an old "colonist," after the model of 1860, with wooden seats, the back of which the weary traveller can turn over and then lie comfortably for the night by twisting his legs and coiling himself up. In this car there was no oil in the lamps and to find your way you had to grope along with your hands outstretched in the dark and liable to hurt the face of any unfortunate being coming in your direction.

So we had chosen the box car, because it was lighted. Many ladies had made the same choice. I had been in there just a few minutes, when a man with a good Irish face and by the name of McLean came in front of me and said: "Tickets." I understood that he was asking for my ticket. So I handed him the small piece of pasteboard the agent had given me a few hours before in the Hervey Junction station.

"Have you no better car than this one for passengers?" I asked McLean.

"I don't speak French," this man replied.

"How is that? You don't speak French on a train that runs between Quebec and La Tuque and where seven-eights of the travellers are French-Canadians," said I speaking in his own language.

"It is not my fault," he explained, "I should be on a baggage train. I would like it better."

At least, here was an honest man who understood that he was not in the right place.

* * * * * *

And all this is of daily occurrence on the Transcontinental. Once in a while things happen that illustrate better still the brutal acts of those who manage this railway. One of these incidents, so revolting that we can hardly believe it, but which is scrupulously true, happened during the week of January the 17th.

It is almost a drama. We are relating it, because we wish the public and the authorities to know how this man Gorrie who is the superintendent of the Transcontinental in Quebec, cares for the public.

Our very good friend, M. J. A. Comeau, was bringing to Three Rivers the remains of one Mr. Bolduc. The train was crowded and six hours late. Instead of a passenger train we had two cattle-cars like those I mentioned above.

Those cars were packed with Italians, Russians, Poles and above all with "lumber jacks," and they were horribly dirty. You can have some idea of the disgusting smell coming from these men and their luggage, together with the smoke of the coal-oil lamps, the tobacco and the breath of drunkards. Aboard one of these cars was Bolduc's unfortunate widow, sick with grief and who could not stand this poisoned air. Not far from her, another lady coming from Harricanaw, the wife of a lawyer, Mr. Houde, if we are well informed, had been enduring this torture for two days. Attached to the train, were two beautiful private cars, carrying Mr. A. Brady, general manager, and his secretary, and Mr. Gorrie and his secretary. Two beautiful private cars for two Englishmen promenading at the country's expense, and for the "Canayens" cattle-cars in which passengers are packed like sardines, and are left most of the time without heat, water and light!

This sounds abominable, but it is nothing. Here comes the climax. One of the passengers was delegated by sympathizing travellers to Mr. Gorrie to ask him to take Madame Bolduc in his car, explaining to him the painful state in which the unfortunate lady was.

Do you want to know the answer of this brute?

"This is a private car."

To have been treated in such a way for many years on a railway belonging to the Government is an unqualified infamy, and we wonder

how a riot did not occur and that some of those brutes were not clubbed to death.

A citizen of La Tuque to whom I made this remark told me that a leader was the only thing wanted. People are thoroughly exasperated. Just a daring man to take the lead and a riot is certain.

Mr. Blondin is the minister of our district. He has never done anything to better the situation.—L'Echo de St. Maurice.

So hon. gentlemen will see that people travelling on these roads are treated like dogs. Those in authority do not care for anybody, and this is a Government railway. The Quebec Board of Trade have already taken up the matter and I do not know why complaints have not reached the ears of the Government so far. I am not saying anything against the Government, because I think these matters are kept quiet and do not reach them. I have too much faith in the Government to think that they would tolerate these things if they knew what is going on. I have translated this letter into English to put these facts before the Government, and I hope some steps will be taken, not only for the sake of people who have to travel on the line, but for the sake of the reputation of the Government. I hope my hon. friend the leader of the Senate will take the matter up. I am interested in the progress of the railway and interested in the development of colonization along the line, but when it becomes publicly known that things such as I have described take place along the line of the National Transcontinental railway the Government cannot expect to colonize the country and the railway cannot be made to pay. Therefore in the interest of the country, the public, and the Government, I hope this question will be dealt with, and these officials who refused to take the poor widow into a private car should be discharged at once. I do not believe the official referred to could have acted as he did unless he had been in a state of mind that he could not hear the complaint. I know him personally, and although I do not think he is the best man for the position, he is a pretty good man. These are matters which should be investigated. If these statements which I have laid before the House are true, I feel sorry for these gentlemen, Mr. Gorrie and Mr. Brady, who were in the private car.

Hon. Mr. LOUGHEED—This is entirely an irregular way of directing the attention of the Government to any abuse. If we are to have a general discussion upon a subject to which our attention has not been called in a regular way, I feel it my duty, without desiring to limit discussion, to object to this form of debate being proceeded with. If my hon. friend desires to vindicate the Government—and he apparently is showing a very deep solicitude for the Government in its operation of the National Transcontinental railway—he will follow this up by putting a question as to whether those statements are correct, and he will receive an answer.

Hon. Mr. CLORAN—I am a witness to the facts related by the hon. senator.

The SPEAKER—Order, order.

Hon. Mr. CLORAN—I know I am out of order, but I am here in the face of a great difficulty in the province of Quebec, and I do not like the Speaker, who comes from the province of Quebec, to interrupt me when I am standing here for the rights of the people referred to by the hon. gentleman from Grandville.

The SPEAKER—The hon. gentleman will take his seat. If he is really a gentleman he will accept my decision.

Hon. Mr. CLORAN—I am as much a gentleman as the hon. Speaker.

The SPEAKER—The debate is quite irregular.

Hon. Mr. CLORAN—Why did the hon. Speaker allow the leader of the Government to make a speech?

The SPEAKER—The hon. gentleman from Grandville rose to ask a question, and made some remarks, and I could not deny the hon. leader the right to answer.

Hon. Mr. CLORAN—I am just as good as the Government.

The SPEAKER—That is a debatable question.

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

THE SENATE.

Friday, February 25, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SALVATION ARMY INCORPORATION BILL.

THIRD READING.

Hon. Mr. McHUGH, from the Committee on Miscellaneous Private Bills, reported Bill (B), An Act to incorporate the Governing Council of the Salvation Army, Canada West, without amendment.

The report was adopted.

Hon. Mr. McHUGH moved that the Bill be now read the third time.

Hon. Mr. DAVID—I would suggest that the third reading of this Bill be postponed until Tuesday next.

Hon. Sir MACKENZIE BOWELL—There is no objection to the Bill, the merits of which have been fully discussed. There is no opposition of any kind, and it was thought better to have the third reading at once in order that it might go to the House of Commons before Tuesday or Wednesday. We do not meet until next week, and I think, when my hon. friend knows that there is no objection to the Bill, he should permit the third reading now.

Hon. Mr. DAVID—My idea was to give an example to those interested in colonization.

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

THIRD READINGS.

BILL (A), An Act respecting the Governing Council of the Salvation Army in Canada and to change the name thereof to the Governing Council of the Salvation Army Canada East.—Hon. Sir Mackenzie Bowell.

Bill (J), An Act for the relief of Ida May Woltz.—Hon. Mr. Derbyshire.

Bill (K), An Act for the relief of Cecily Ethel Maude Farera.—Hon. Mr. Ratz.

BILLS INTRODUCED.

Bill (M), An Act for the relief of Raymond Conliffe Savage.—Hon. Mr. Derbyshire.

Bill (N), An Act for the relief of Harry Lorne White Cunningham.—Hon. Mr. McCall.

The Senate adjourned until Tuesday next at eight o'clock, p.m.

THE SENATE.

Tuesday, February 29, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

MOTHERSILL'S SEASICK REMEDY.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

1 What was paid "The Mothersill's Remedy Co.," Windsor, for Mothersill's Seasick Remedy?

2. How many dozens were purchased, and what was the effect?

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

1. $3,983.34.

2. (a) 1,667 dozen boxes; (b) no report received. Presumably they were satisfactory.

SERVICES PERFORMED BY NIOBE AND RAINBOW.

INQUIRY.

Mr. BOSTOCK inquired:

1. At what date in the year 1914 was H.M.C.S. Niobe placed in commission, with a full complement of officers and crew?

2. Is H.M.C.S. Niobe in commission at the present time, if so, what service to the country does H.M.C.S. Niobe perform?

3. If not in commission, at what date was H.M.C.S. Niobe put out of commission, and for what reason?

4. What work are the officers and crew of H.M.C.S. Niobe performing at the present time?

5. Was H.M.C.S. Rainbow in commission on the 1st August, 1914, with a full complement of officers and crew?

6. Is H.M.C.S. Rainbow in commission at the present time, if so, what service is H.M.C.S. Rainbow performing for the country?

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

1. August 28, 1914.

2. Yes. She is being employed under the advice of the Admiralty, but it is not advisable at present to state the service on which she is being employed.

3. Answered by No. 2.

4. Answered by No. 2.

5. Yes

6. Yes. Under Admiralty orders.

CARRIAGE OF MAILS IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. What services were performed under the contract for carrying the mails made between

James C. Shields and the Post Office Department during the fiscal year 1914-15?

2. How much was paid the contractor for this service?

3. What services are being performed by the contractor during the present fiscal year?

4. How much will the contractor receive for these services?

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

1. Ashcroft and Clinton, tri-weekly; Ashcroft and Lillooet, semi-weekly; Clinton and Quesnel, semi-weekly; Quesnel and Barkerville, semi-weekly from May 15 to October 31; weekly from November 1 to May 14; Quesnel and South Fort George, semi-weekly; Alkali Lake and Clinton, weekly; Alexis Creek and 150 Mile House, weekly; Harper's Camp and 150 Mile House, weekly; Keithley Creek and 150 Mile House, weekly.

2. $131,045.70, including $6,045.70 for excess weight occasioned by the extension of the parcels post system.

3. From April 1, 1915 to September 30, 1915, the services were the same as those given in No. 1. From October 1, 1915 to the present time the same services are being performed except the semi-weekly service between Ashcroft and Lillooet, which was discontinued on that date.

4. From April 1 to September 30, 1915, at the rate of $125,000 per annum. From October 1, 1915, to March 31, 1916, at the rate of $111,691.58 per annum, being the pro rata reduction caused by the discontinuance of the service from Ashcroft to Lillooet.

It may also be stated that since the commencement of the present fiscal year to the present time there has been no payment for excess weight on account of parcels post.

A QUESTION OF PRIVILEGE.

NOTICE AMENDED.

The Order of the Day being called:

By Hon. Mr. Pope:

That he will call the attention of the Senate to certain remarks said to have been made by His Honour our Speaker, accusing the English members of the Senate of being fanatics, and saying also that he has a letter from the Prime Minister which, if read, would force the resignation of a member of the Cabinet.

Hon. Mr. MURPHY—The hon. gentleman from Compton desires to have this notice amended by adding the following words:

And inquire whether such remarks were made by him.

The SPEAKER—The only way to accomplish the object aimed at by the hon. gentleman is to have the motion which appears on the Order Paper dropped and substitute the notice which the hon. gentleman now proposes.

Hon. Mr. MURPHY—This was placed in my hands with a request to have the notice as it appears on the Order Paper amended.

The SPEAKER—We cannot do that. It is not a motion.

Hon. Mr. MURPHY—Then I ask permission to drop it, and substitute the amended notice of inquiry.

THIRD READING.

Bill (I), An Act for the relief of Lillian May Dent.—Hon. Mr. Derbyshire.

SECOND READINGS.

Bill No. 4, An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

Bill No. 11, An Act respecting British America Nickel Corporation Limited.—Hon. Mr. McHugh.

Bill No. 12, An Act respecting the Calgary and Edmonton Railway Company.—Hon. Mr. Talbot.

Bill No. 14, An Act respecting the Central Western Canada Railway Company.—Hon. Mr. Watson.

Bill No. 16, An Act respecting the Quebec, Montreal and Southern Railway Company.—Hon. Mr. Beique.

Bill (L), An Act respecting the Atlin Railway Company.—Hon. Mr. Derbyshire.

BILLS INTRODUCED.

Bill No. 3. An Act respecting the Burrard Inlet Tunnel and Bridge Company.—Hon. Mr. Bostock.

Bill No. 5, An Act respecting the Canadian Northern Ontario Railway Company.—Hon. Mr Watson

Bill No. 7, An Act respecting the Farnham and Granby Railway Company of Canada.—Hon. Mr. Lavergne.

Bill No. 9, An Act respecting the Peace River Tramway and Navigation Company.—Hon. Mr. Bostock.

Bill No. 10, An Act to incorporate Les Sœurs de L'Assomption de la Sainte-Vierge.—Hon. Mr. Dandurand.

Bill No. 13, An Act respecting the Canadian Pacific Railway Company—Hon. Mr. Watson.

Bill No. 15, An Act respecting the Pacific Northern and Omineca Railway Company.—Hon. Mr. Watson.

Bill No. 17, An Act to incorporate the Canada Indemnity Company.—Hon. Mr. Watson.

Bill No. 18, An Act respecting the W. C. Edwards Company, Limited.—Hon. Mr. Watson.

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

THE SENATE.

Wednesday, March 1, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (O), An Act for the relief of Nora Louise Jackson—Hon. Mr. Ratz.

Bill (P), An Act for the relief of Henry John Thomas Wardlaw.—Hon. Mr. Derbyshire.

Bill (Q), An Act for the relief of Robert William Thompson.—Hon. Mr. Derbyshire.

RECRUITING IN COUNTIES OF PONTIAC, WRIGHT AND LABELLE.

INQUIRY POSTPONED.

The Order of the Day being called:

Hon. Mr. DAVID inquired:

1. Has the recruiting in the counties of Pontiac, Wright and Labelle, forming part of the 3rd military division of Kingston, and included in the district of Ottawa, been assigned to the Military Division No. 5 of Quebec?
2. Are officers or recruiting agents of the province of Ontario allowed or authorized to recruit in the above counties?

Hon. Mr. LOUGHEED—Stands.

Hon. Mr. DAVID—I wish to say a few words in order that the subject may be better understood when the answer is given. The counties of Pontiac, Wright and Labelle, situated in the province of Quebec, and forming part of the Third Military Division of Kingston, have been included for recruiting purposes in militia division No. 5 of Quebec. It is said that recruiting agents and officers of Ontario have had charge of the work in the counties of Pontiac, Wright and Labelle, thereby depriving the Fifth Military Division of an important portion of its territory. They were charged at one time with not doing their duty to the Empire, and they claimed that the recruiting officers of the province of Ontario were unjust to them. If their complaint is well founded, I hope the Government will do what is right and just.

The inquiry was allowed to stand.

APPOINTMENT OF DOMINION CUSTOMS OFFICER AT NEW YORK.

MOTION.

Hon. Mr. BOSTOCK moved:

That an order of the Senate do issue for a copy of all the correspondence between the Government and the British Columbia Boards of Trade, and also between the Government and the Canadian Manufacturers' Association, in reference to the request made by the British Columbia Boards of Trade for the appointment of a Dominion customs officer at the port of New York.

He said: The question which I want to bring to the attention of hon. gentlemen of this House to-day is not altogether new. It is one that is very keenly exercising the minds of the people of British Columbia, and especially Vancouver, at this time. On the 4th of November last at a meeting held at Vancouver of men representing financial interests and investments in British Columbia, on behalf of principals and clients in Canada, Great Britain, France and other countries, a resolution to the following effect was passed:

Appreciating the facts that—

The development of the resources of this province, especially the coast cities,

The exportation of products of this and adjoining provinces,

The importation of raw materials for factories now established and to be established here,

As well as the importation of goods necessary to be brought here for consumption, are largely dependent upon our water facilities;

Realizing the great possibilities for the people of this province, to be derived as a result of the Panama canal route,

Realizing that these possibilities can only be converted into realities by placing ourselves in a position to utilize the water facilities offered,

Are resolved that we put forth the most vigorous effort to encourage shipping to come to this coast, particularly at this time when the Dominion Government are nearing completion of the dock and grain elevator at this port, and the prospect so bright for moving the prairie grain through the coast ports in the near future.

We further resolve that we heartily endorse the request of the British Columbia Boards of Trade to the Government at Ottawa for the appointment of a customs officer at New York, firmly believing that the opening of this new channel of trade will bring to British Columbia unlimited benefits.

That resolution was assented to by, I may say, nearly all the important companies, corporations and business men in

the city of Vancouver. The last part of it which I read was moved to endorse the action of the Board of Trade which had been taken previously dealing with the question of the appointment of a customs officer at New York. The condition of things generally in the province of British Columbia to-day is not encouraging. The fiscal year ending March 31, 1913, the exports from British Columbia amounted to $27,087,369, and the imports to $66,596,479. For the year ending March 31, 1914, the exports had increased to $33,918,259, and the imports had decreased to $57,922,481. Then for the fiscal year ending March 31, 1915, the exports remained about the same, namely $33,627,009, but the imports had decreased to $36,223,080; a reduction of $21,699,401 in the imports alone. That will give hon. gentlemen some idea of the condition of business on the Pacific coast to-day. The bank clearings also show a similar decline. In Vancouver the bank clearings in January, 1915, amounted to $24,842,677, and in January, 1916, to $21,924,554, showing a decrease of $2,918,123.

In Victoria the bank clearings in January, 1915, were $8,139,927, and in January, 1916, $5,729,678, showing a decrease of $2,410,249. In New Westminster the bank clearings in January, 1915, were $1,107,170, and in January, 1916, $844,249, or a decrease between the two periods of $262,876. Out of the twenty-three cities throughout the Dominion for which the Government give statements, eighteen cities show an increase in their bank clearings, and five a decrease, in 1916 as compared with 1915. Of those latter cities, four are in the West, only one being in Eastern Canada, and out of those four, three are on the coast of British Columbia. Hon. gentlemen will realize from these figures that the condition of things in British Columbia to-day in a business way is not by any means satisfactory. Consequently, the business men of British Columbia, who are looking to the development of the country, do not want to lose any opportunity of improving their condition. In September last the Vancouver Board of Trade took up this question and issued a pamphlet pointing out the advantages to the coast, and to Vancouver particularly, of transportation by water between New York and the Pacific coast. The people of Vancouver have for a long time been considering this matter, and have looked forward to the opening of the Panama canal as offering improved means of transportation. In a pamphlet. which was issued for general circulation, they pointed out the advantages offered by water transportation from New York to the Pacific coast to eastern manufacturers, enabling them to ship their products in bond to British Columbia and thence to Russia, Japan, China, New Zealand and Australia, at minimum rates to compete with manufactured goods from Europe or the United States. The advantage to the manufacturers of British Columbia would be that it would provide the lowest cost of transportation inwards for raw materials, as well as the lowest rates for the export of products outwards, because certain classes of cheap and heavy goods will not stand an all-rail haul across the continent. They also pointed out to the consumers of British Columbia and Western Canada that a lower rate to the coast would benefit them, as goods could be landed in British Columbia and certain points in Western Canada, and sold cheaper than at the present time; further, that the ports of Vancouver, Victoria, New Westminster, and Prince Rupert, would benefit by offering facilities to shipping, especially from Britain, to call at New York for Canadian goods billed to the Pacific coast and from there to the Orient so making ports of call of British Columbia ports on a continuous sea route. As the result of this action of the Board of Trade the people of the coast paid a good deal of attention to it, and one result was that Mr. Blair, Secretary of the Board of Trade, was asked to interview the Government in Ottawa when he came down here last September on a delegation which was asked to deal not only with this but with other matters affecting the coast cities. It seems that, also as a result of this action of the Board of Trade, some of the officials of the Canadian Manufacturers' Association had an interview with the Government. Afterwards two of those gentleman, Mr. S. R. Parsons, Vice-president of the Canadian Manufacturers' Association, and Mr. J. E. Walsh, manager of transportation, made a trip to the Pacific coast and arrived at Vancouver during the time that Mr. Blair, Secretary of the Board of Trade, was in Ottawa. They had several interviews with the Board of Trade and the business men of Vancouver to discuss this question. At one of these interviews on the 15th of October Mr. Parsons stated that

he had interviewed the Premier and found that Sir Robert Borden took the view that if a customs officer were placed in New York, once the Panama Canal route was used by the coasting trade, a great deal of merchandise would be diverted, to the disadvantage of the Canadian railways.

Of course the expression of that view gave the people of Vancouver the idea that the railways of Canada were opposed to this action being taken. Mr. Walsh was also present at this meeting, but his statement was made more definitely at a later meeting the next week. At this same meeting in Vancouver a telegram was read from Mr. Blair, secretary of the Board of Trade, stating that he had had an interview with Sir Robert Borden, Sir George E. Foster, Hon. Mr. Reid and Hon. Mr. Burrell on this question of a customs officer in New York, and he claimed that they would not decide the matter until the board had met Mr. Walsh, and the Vice-president of the Manufacturers' Association. Considerable sympathy apparently was expressed by the members of the Government. They claimed that the manufacturers had changed their attitude on the question, and without the Canadian manufacturers support the case was hopeless; but at the same time a telegram was read from Mr. Taylor, which stated that the manufacturers had not changed their views. Up to that time it seemed that the railways and the Manufacturers' Association were opposed to the adoption of this policy; but at a later date, after Mr. Blair had arrived back from his trip to the East, another interview was held at which both Mr. Parsons and Mr. Walsh were present. Mr. Blair in that interview stated: "As to the placing of a customs officer in New York, no definite promises were obtained, and the Government would offer no argument against it, or give a reason for the opposition to the proposal." So that, according to Mr. Blair's statement on that occasion, there was no definite reason given to him as to why this request of the Board of Trade, as representing the business interests of Vancouver, should not be dealt with. At the second meeting, which was also the final meeting that Mr. Parsons and Mr. Walsh had with the business men of Vancouver, it was stated by Mr. Parsons that they could not make any definite promises, although it was intimated that the railways would have a proposition to off-set the discrimination against the Pacific coast on account of the Government not permitting the business men to take advantage of the Panama canal. Mr. Walsh was then asked what intimation he had as to this question of transportation, and he said they would make rates to meet the situation—which was just a general statement; he did not go into any definite figures about the matter. Later, at that same interview, Mr. Parsons made the assertion, "Your location here means you must have water transportation, but when you will get it I do not know." From the statement it would seem that Mr. Parsons realized that the request made by the people of British Columbia was a reasonable one, and one which should have attention, but he seemed to think there was something in the way which would keep the people from receiving the facilities for business that they ought to get. Later, on the 22nd December, the Toronto Globe had an article headed, "British Columbia Needs Shipping," and in that article quoted a long extract from the Vancouver Province, a newspaper which, as hon. gentlemen may know, has always been connected with the transportation interest, and therefore it is to be assumed that anything the Vancouver Province would say would not be in opposition to the interests of the transportation companies unless they thought that on this particular question the interests of Vancouver and the coast generally were of paramount importance The Toronto Globe, in quoting from the Vancouver Province, says:

> As a result of the war transportation has been demoralized, the price of goods brought here from all parts has increased, additional duties have been assessed, and the cost of living advanced, and while Canada's exports now exceed her imports, this does not apply to British Columbia. Business throughout Eastern Canada is exceptionally heavy. The Prairie Provinces are also prosperous as a result of the very large grain crop, but in British Columbia industries will be practically at a standstill owing to a lack of ships to carry our products to foreign markets, and as a result these markets will be supplied from United States Pacific coast ports, eastern and southern Atlantic ports. It seems, therefore, rather ridiculous that hitherto the Federal Government has not acted upon any recommendation for the increasing of the shipping facilities to and from British Columbia to relieve the situation. It is evident that a large proportion of the population could be employed by the mills, logging camps, docks, elevators, tug-boats, etc., and upon the land, through the full development of our water transportation.
>
> It is preposterous to think that water transportation is dependent upon recommendations from the Eastern Canadian Manufacturers' Association or upon what a member of Parliament from the Prairie Provinces may say. If he thinks that it might affect the jobbing interests of Winnipeg or Edmonton, evidently British

Columbia is not to be allowed to use the ocean route to British Columbia. What would his view be if the water transportation to Fort William were prohibited? It should not be necessary for British Columbia to present all manner of reasons to the Ottawa Government for the ocean service asked for. The fact that British Columbia considers this service necessary should be sufficient, and yet it is submitted to the judgment of some other individual in whose opinion some eastern interest might be affected. Surely British Columbia should know better than any one else what is required?

The Customs Act does not prescribe any penalty against shipping Canadian goods through a foreign port, neither does it provide that this shall not be done. It only states that transhipment must be done under the inspection of a customs officer. Has the Customs Department any right to refuse the free entry of these goods into Canada? If the Customs Department thinks the transhipment should be supervised by one of their officers it is up to it to appoint him, otherwise there is nothing to prevent goods being brought here without such supervision.

The Globe adds, as a note at the end of the article, that it has been given to understand that neither the railways nor the officers of the Canadian Manufacturers' Association opposed the granting of this right to British Columbia, and they ask the question, "Who, then, stands behind the Minister of Customs in refusing it?" The matter was also taken up in December by a paper called Industrial Canada. In that article they say, in part:

We cannot have too much transportation of the kind that does not cost us anything. We can have, and we already have, too much transportation of the kind that loads us down with interest charges and high freight rates.

The Panama canal is nature's route for the movement of staples from the Atlantic to the Pacific. So long as it remains open they are as certain to move by that route as water is certain to run down hill. If obstacles are placed in the way of Canadian goods using that route, then the market will be supplied with United States goods to which the route is wide open.

That points out the disadvantage under which we labour if something is not done to facilitate the transportation of goods from Eastern Canada to Western Canada.

The Vancouver Sun further states that an offer had been made by the Maple Leaf Line to carry out a transportation service from New York to the Pacific coast provided that arrangements could be made so that goods from Eastern Canada could be shipped that way. The offer was made some time ago, previous to the action taken by the Board of Trade in September 1915, and the Vancouver Sun in dealing with the question, pointed out that it would provide cheap water transportation to Canadian goods to be used in British Columbia, and furnish tonnage to the exports of British Columbia. They further say:

This cannot be accepted because the Minister of Customs, the Hon. J. D. Reid, has by a letter addressed to the customs official at the port of Vaucouver prohibited the admission of Canadian goods arriving by sea if they have passed by the short haul over the United States railways to such ports as Boston and New York.

All that is required is the withdrawal of this letter and the placing of a customs officer at New York to ship and receive goods departing from or arriving for Canada.

They then point out that the distance from Vancouver to Halifax is 1,450 miles greater than from Vancouver to New York; that New York is nearer to the great manufacturing centres of Eastern Canada, that Hamilton is 655 miles nearer to New York than it is to Halifax. They further point out that this request for the appointment of a customs official to clear goods at another port, to pass goods through in bond, is nothing new, inasmuch as it is done at the present time in Vancouver. The United States maintain an officer there for the purpose of dealing with tea and other products coming from Japan which are carried through in bond by the Canadian Pacific Railway, and handed over again in New York. Further, that the same work is done in Prince Rupert. Halibut and other fish are put in bond on the trains there and shipped through to the United States, so that in asking that the Government should take hold of this question and appoint an officer in New York to see to the transferring of Canadian manufactured goods to the ships in New York harbour, they are not asking for anything that is not already being done by the United States.

Hon. Sir MACKENZIE BOWELL—Were the fish which the hon. gentleman says are being bonded at Prince Rupert, caught in United States waters? Because if they were not caught in American waters there was no necessity to put them in bond.

Hon. Mr. BOSTOCK—I understand the majority of them are caught outside the three-mile limit by American boats and taken to Prince Rupert and put on the train there. They used to be taken to Vancouver until the Grand Trunk Pacific was built to Prince Rupert. Prince Rupert being so much nearer to Halifax, they transferred their operations from Vancouver to Prince Rupert. I hope I have made the situation clear and that it will have impressed

on the Government the fact that the people of the Pacific coast, and particularly the business men of Vancouver and Victoria, are anxious that something should be done to help them in this matter.

Hon. Sir MACKENZIE BOWELL—I have paid some attention to the procedure to which the hon. gentleman has referred. The principle of bonding goods from Europe through the United States to Eastern Canada and from Europe through the United States to British Columbia, has never been abrogated, as I understand it.

Hon. Mr. BOSTOCK—I do not think it has been asked for in that form.

Hon. Mr. DANIEL—I do not know that I followed the hon. gentleman from British Columbia very closely, but I did catch one or two of the ideas to which he has given expression, and it appears rather a curious idea to come from an hon. gentleman especially on that side of the House. We have been for several years building transcontinental railways in Canada at very great expense, in order to utilize the ports of Canada for the importation and exportation of our goods, and avoid the very thing which the hon. gentleman is advocating this afternoon. In other words, he is advocating that we use United States ports rather than the ports of our own country for our business. I for one do not agree with any such policy as that. I am rather surprised at the hon. gentleman, holding the position he does in the Senate, and being closely connected with the party which conceived and carried into effect the great National Transcontinental railway at enormous expense, now advocating that these railways, the Canadian Pacific railway and the National Transcontinental railway running from the ports of St. John and Halifax on the east, to Vancouver and Prince Rupert and other ports in British Columbia should not be utilized, and that all the money spent on those roads, especially on the Transcontinental from Winnipeg to Moncton, should be completely thrown away. Why should Vancouver or any other city on the coast, after Canada has spent money lavishly to connect the East and the West, expect the people of Canada to divert traffic from our own roads to ports in the United States? I do not see the justice or equity of any such policy. If we are to have free trade in ports, the policy should have been thought out and adopted before we spent hundreds of millions of dollars to open up our own country and utilize our own trade routes. So far as the policy which the hon. gentleman advocates this afternoon, is concerned, I think it is going back entirely on the record of his own political party, as well as the record of the party at present in power. With regard to the proposal to appoint a customs officer in the port of New York for the purpose of utilizing United States railways and United States ports for Canadian business, I do not see the justice of it and am entirely opposed to any such policy.

Hon. Sir MACKENZIE BOWELL—After listening to the statements made by my hon. friend and having had some little experience in the bonding of goods, I was at a loss to know what the difficulties were that presented themselves in sending goods by New York and the Panama canal to any portion of the British Empire. We have the same system of bonding to-day that has existed since Confederation. Goods imported from Great Britain to Canada can be bonded through the United States. Goods shipped from Canada to any foreign port can be bonded through the United States. In that particular the United States look after their own interests. To a certain extent, I might inform my hon. friend we have recognized the principle advocated by the Board of Trade of British Columbia, and so admirably put before the Senate by my hon. friend the leader of the Opposition. We have Canadian officers now in Tacoma and Seattle; we have them at Minneapolis Junction, and other places, in order to supervise the transfer of Canadian goods passing through the United States. At these points they are transferred from the Canadian to the United States roads, which carry them to the coast. The object of maintaining officials at those points is to prevent the placing of United States goods in cars containing bonded goods, and, therefore, when goods arrive at Seattle or Portland destined for British Columbia, the customs officer examines to see that there are no other goods contained in the cars than those which came direct from Canada. That is carried on now, and at Portland, Oregon, the same system prevails as at Tacoma and Seattle for goods coming from British Columbia through the United States to other parts of Canada. I have yet to learn of any difficulty arising from the operation of that system. It has existed for a very long time. The only reason I can see for the desire to have a

customs official stationed at New York is to save the trouble and expense of placing the goods in bond in the United States. I know that when goods coming from Europe to Canada via the United States are entered in bond and passed through the customs, the customs charges and the port charges are very heavy. Perhaps a conference with the United States Government to try and induce them to reduce the fees might accomplish what my hon. friend wants.

Hon. Mr. BOSTOCK—Would it not be necessary for the Minister of Customs to take that question up with the United States officials?

Hon. Sir MACKENZIE BOWELL—That may possibly be, but any attempt to change the system that prevails in the United States would be utterly useless. In Canada we pay our officers. In the United States they mulct the importers and exporters by fees, and it is difficult to interfere with that. For instance, the fees which the customs officials at Portland receive for entering goods in bond, and sending them forth in bond, would be larger than the salary the Canadian Government pays to its officer. Therein lies the difficulty in dealing with the United States Customs system. If the Canadian manufacturers can ship goods through the United States to any British port via the Panama canal at a much lower cost than through Canada across the continent by rail, I do not think that anything should be done to prevent them. That is my view of it, and to my mind it is one of the greatest protections that can be offered to the manufacturers, and the carrying out of the principle of the National Policy which my hon. friend from St. John (Hon. Mr. Daniel) and myself have been advocating ever since the question came before us. I am quite convinced that when this matter is properly brought before the Premier of this country, and treated as a question of this kind ought to be treated, it will be dealt with fairly. I repeat I cannot understand what is required, notwithstanding the resolutions which have been read, other than to place Customs officials in the port of New York for the purpose of relieving shippers from the charges which exist in connection with bonding goods.

Hon. Mr. CASGRAIN—The hon. gentleman was for a long time Minister of Customs. What would the Canadian officials do in New York? What would be the nature of their work?

Hon. Sir MACKENZIE BOWELL—There are no Canadian officials in New York, nor were any ever placed there. The goods are imported and put in bond and forwarded.

Hon. Mr. CASGRAIN—If we had an officer there, what would be his duties? Would he be allowed to receive goods and ship them from the port of New York?

Hon. Sir MACKENZIE BOWELL—The hon. gentleman must ask the hon. leader of the Opposition, who is making this inquiry. I do not know. The United States officials would take good care to see that the goods were properly entered in bond, so that nothing should be sent other than the goods destined for Canada.

Hon. Mr. CLORAN—You would require the United States Customs officer to see that the Canadian officer is doing his duty. You would have two sets of officers, instead of one. Supposing you had a United States Customs officer in New York, and there was a ship load of goods landed there, it would be the duty of the United States officer, irrespective of the Canadian officer, to see that these goods were properly placed in bond; so that the Canadian Customs officer would be of no value under the circumstances.

Hon. Sir MACKENZIE BOWELL—I should like to see my hon. friend attempt to place a Canadian officer in any United States port to direct the officials of the United States what to do. It would be none of his business. The only point that could be gained by adopting the hon. gentleman's suggestion would be to see that no United States goods were placed in the cars and brought into Canada as if they were British goods. That protection is afforded when they arrive in Canada, because the goods that are bonded for Canada must correspond with the invoices.

Hon. Mr. LOUGHEED—I am willing that the order should go.

The motion was agreed to.

SECOND READINGS.

Bill (M), An Act for the relief of Raymond Conliffe Savage.—Hon. Mr. Derbyshire.

Bill (N), An Act for the relief of Harry Lorne White Cunningham. — Hon. Mr. McCall.

BILL INTRODUCED.

Bill (R), An Act to incorporate The Insurance Company of Canada.—Hon. Mr. Dandurand.

TITLES OF SENATORS.

NOTICE OF INQUIRY.

Hon. Mr. MURPHY—I desire to give notice that I will inquire why the titles of the senators who are colonels, do not appear on the journals of the House.

Hon. Mr. DOMVILLE—Who are they?

Hon. Mr. MURPHY—Senators Domville and Mason.

An hon. GENTLEMAN—And Colonel Landry.

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

THE SENATE.

Thursday, March 2, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill No. 12, An Act respecting the Calgary and Edmonton Railway Company.—Hon. Mr. Casgrain.

Bill No. 16, An Act respecting the Quebec, Montreal and Southern Railway Company.—Hon. Mr. Casgrain.

Bill No. 14, An Act respecting the Central Western Canada Railway Company.—Hon. Mr. Casgrain.

Bill No. 4, An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Casgrain.

ESCAPE OF ALIEN ENEMY PRISONERS.

MOTION.

Hon. Mr. CLORAN moved:

That an order of the Senate do issue:

For all papers, documents and evidence in connection with the escape of alien enemy prisoners from the detention camp situated at Amherst, N.S., and the recapture of some of the said prisoners; also the evidence taken at the investigation by the civil or local authorities regarding this escape and which was transmitted to the military authorities at Halifax.

Also the papers, documents and evidence produced at the military court-martial held in Halifax, with the court's findings and sentences regarding the officers responsible for the said escape.

He said: The motion standing in my name on the Order Paper asks for certain information and has a two-fold object, first, to ascertain the facts from official quarters, namely the Government, and, second, to dispel the doubts, uncertainties, and, unfortunately, suspicions which overhang this case. We individually know the facts, but we want the Government to place them on record. We know that hundreds, if not thousands, of Germans, were held in a detention camp, under the supervision of the military authorities of this country, and for what purpose? To prevent them from going over to assist the fatherland, and the Kaiser. It was Canada's interest to prevent them from doing that. Men were entrusted with the duty of seeing that these Germans should not be allowed to escape. What happened? Germans detained in that camp at tremendous costs to the people of this country were allowed to escape—not allowed to escape—the expression is too easy—were enabled to escape, and by whom? By the officers in command of that camp. This is a serious charge and a charge that must be met by the Government. The people demand that light shall be thrown on the subject. We all know the facts individually, but not officially, and I make this motion to elicit either an official confirmation, or an official denial of the reports in circulation. It is bad enough to have to send our own flesh and blood to fight for the cause in foreign countries without being betrayed in our own country and it is up to the Government to see that these things, having happened once, shall not occur again. Now what are the doubts, uncertainties and suspicions hanging over this matter? Many may be inclined to say: "Oh, well, there has been no such escape; the story is made up, or the suspicion is unwarranted." We want all clouds of doubt swept away by official Governmental information, as to whether this thing has happened or not, whether enemies from that camp were allowed—not allowed, but enabled to escape under the authority of the militia officers. Some members in this House know what I say and mean, but Canada at large does not know whether the officers responsible for

this terrible outrage on our liberty and safety are in the penitentiary or in the grave. God knows, a man who allows alien enemies to escape ought to be in his grave, but we are uncertain what the findings of the court martial were—whether the guilty officer was sentenced to 12 years in the penitentiary, or sentenced to be shot. The cloud of suspicion is this, that while the people of Canada are giving the best of their blood and their money for the defence of Canada and the Empire, and for the defence of the Allies, we are betrayed at home. Not only that, but we are betrayed even in Great Britain and in neutral countries. We are betrayed by British manufacturers, who have been furnishing the Kaiser and his Government with the essentials of war, and I thank the judges of England for having sent those manufacturers to the penitentiary. The term is not long enough to my liking, but anyhow they have gone to the penitentiary. Right in the heart of England we have had betrayers, sellers of the sacred rights of the nation, furnishing goods to the Kaiser and to the Austrian Empire. What I say is not a mere statement of fiction or imagination, it is a statement based on the judgment of the courts of England. We have had traitors in neutral countries. The high staff of the Switzerland army, no later than a few days ago, court martialled and sentenced two officers for betraying the secrets of Switzerland and France to the German army. They had no compunction in publishing the facts to the world; neither had England in declaring to the world that right in Manchester and other large centres, manufacturing interests were selling goods to be used by the Kaiser in trying to ruin the British Empire. Yet here in Canada one of the worst betrayals, one of the worst schemes of treachery, has been perpetrated, and everything is shrouded in mystery; nobody knows anything positive; everything is hearsay—oh, it cannot be this, and it cannot be that. In England, France and other countries they punish culprits; but in Canada, under a very benign Government, these outrages against the Empire are covered and shielded. I draw the attention of this House and of the country to these facts. The country is alive to the facts and wants to know what is going on—to clear away the clouds of doubt and uncertainty and suspicion which have been hanging over this branch of our military activities. I tell the Government it is up to them to do their duty in spite of patronage, in spite of friendship, in spite of any reason on earth; to stand by Canada, and not to shelter any single man, any company or any incorporation, not to stand by the profiteers or by the men who shirk their duty. The duty of the Government of Canada is to stand by the flag as it should wave, free. Let them put aside all questions of patronage. We have a solemn duty to perform in this memorable year 1916-17, and that is to save the flag; if we do not do it by honest means we cannot do it by dishonest means. As Kitchener and other statesmen of Great Britain have told the English people, "If you do not stand by the flag now, you will have the Kaiser to dominate you." I am proud of Canada, but when I behold manufacturers of immense wealth in England selling the country to the enemy, I ask myself, what is the use of my son going to war? When I see so many of the English, 47 millions of people, refusing to make bullets, refusing to work, refusing to enlist, I ask myself, "What is the use of you going?" In England to-day the labour unions and other organizations control the situation. They refuse to enlist; they refuse to manufacture munitions, while Canadians, Australians, New Zealanders and Hindus are sacrificing their best for their sake and for their sake alone. So, hon. gentlemen, I say that our Government should take every precaution to prevent the enemy's forces being replenished, especially out of the camps under our control. I have no ill-feeling against the German. I am beginning to realize that he is, possibly, the master mind of the human race. I have no hatred against him, but I have love for my son, and my country and, as Christ said, "Charity begins at home," I want to protect myself. If the German hits me I want to be in a position to hit him back, and that is Christ's doctrine. Where you are hit on one side of the jaw you have to fight in a war of this kind. We should hold ourselves prepared to fight back as much as we can, but for the sake of victory and enduring peace let us have no traitors in the camp, or, if any should be discovered, let not the Government protect or shield them.

The motion was agreed to.

A QUESTION OF PRIVILEGE.

Hon. Mr. POPE rose to:

Call the attention of the Senate to certain remarks said to have been made by His Honour

the Speaker of the Senate, accusing the English members of the Senate of being fanatics, and saying also that he has a letter from the Prime Minister which, if read, would force the resignation of a member of the Cabinet, and inquire whether such remarks were made by him.

Hon. Mr. CHOQUETTE—I wish to raise a point of order that this question cannot be put.

The SPEAKER—If the hon. gentleman intends to raise a question of order and ask me to decide it, I prefer calling another member to the Chair, because it would not be proper for me to decide a matter in which I am interested. I ask the Hon. Senator Sproule to take the Chair.

Hon. Mr. Sproule having taken the Chair:

Hon. Mr. CHOQUETTE—I will refer to the rule and authorities to show that this question cannot be put. This notice does not mention the place where these words were spoken, if indeed they ever were spoken. Rule 47 says:

Any senator conceiving himself offended or injured in the Senate, in a committee room or any of the rooms belonging to the Senate is to appeal to the Senate for redress.

So that according to the rule there are three cases where a senator conceiving himself offended or injured may put a question of this kind—when the words were said in the Senate, in a committee room, or any of the rooms belonging to the Senate. The notice of inquiry does not state that these words which are attributed to the Hon. Speaker were spoken in the Senate, or in a committee room or a room belonging to the Senate. I will cite the authorities at once. The Acting Speaker, as we all know, was long enough Speaker of the other House to be familiar with these authorities, and it will be useless for me to read them. I refer to Bourinot, 3rd edition, pages 431, 433, 435. On page 433 Bourinot says:

The practice, however, has been prevalent in Parliament and is now established in the Senate and House of Commons of putting questions to a minister of the Crown.

I conceive the questions are put by members of the Senate but not to the Speaker—

Concerning any measure pending in Parliament or of a public matter, and on receiving the answer of the person so indicated—

That is a different matter. Then on page 433 we find:

Questions may be put to a minister of the Crown relating to public affairs, and to other members relating to any Bill, motion or any public matter connected with the business of the House.

These matters seem to me very clear. Then on page 435 we find:

No member may put a question to another member unless it refers to some Bill or some motion before the House.

I do not wish to discuss the question because it seems very plain to me. I therefore raise the point of order and say the motion cannot be put.

Hon. Mr. POPE—I plead guilty to not being well versed in the rules governing this House. I gave this notice as a matter of courtesy, thinking it only proper that the Speaker of the House should have an opportunity of explaining what he is reported to have said, I might have brought up the subject by rising to a question of privilege without giving any notice. Under rule 41, as I understand, I would have been warranted in doing so. I leave the matter to the decision of the Acting Speaker.

The ACTING SPEAKER (Hon. Mr. Sproule)—I do not think that the point is well taken. The notice is not very clear to me. I understood the hon. member rose to a question of privilege, not to ask a question. There would appear to be a question involved in the notice, but under rule 41 of the Senate I find the following:

Whenever a matter or question directly concerning the privileges of the Senate or of any committee or member thereof has arisen, a motion calling upon the Senate to take action thereon may be moved without notice, and shall, until decided unless the debate be adjourned, suspend the consideration of other motions as well as orders of the day.

The fault with both of these is that neither one of them fulfils the conditions. If it is clearly a question of privilege the hon. gentleman is within his rights, but as to how far he could go in a case of this kind, I am not prepared to say. I am rather inclined to the view that since his inquiry refers to the Speaker of the House, he could not well broach the question in this way, but that it would require a notice of motion. He should announce that on a certain day he would move something relative to the conduct of an individual or the action of the House. That would be clearly the proper method if he intended to move against the Speaker of the House. The citation of the hon. gentleman from Grandville does not apply, if I read the authority correctly. Bourinot says:

Questions may be put to a minister of the Crown.

Well, the hon. gentleman rises to a question of privilege. There is all the difference in the world between a question of privilege and a question put to a minister of the Crown, so far as the right of bringing the question before the House is concerned. It seems to me it is absolutely in order to bring any such question before the House. I am convinced of that from May, who speaks of this in several instances, and says at page 76:

> Indignities offered to the character or proceedings of Parliament by libellous reflections have been punished as breaches of privileges. Some offenders have escaped with a reprimand or admonition; others have been committed to the custody of Black Rod or Sergeant-at-Arms, while many have been confined in the tower and in Newgate, and in the Lords fine, imprisonment, and the pillory have been adjudged.

If I understand the hon. gentleman correctly he contends that because it is alleged that the words on which the inquiry is based were said outside the House, therefore they could not be dealt with in the House. In my judgment they could be dealt with in the House. It would be quite competent for the Senate to take up this question and deal with it. On the other hand, this question is brought before the House in an informal way and my ruling would be that it could not well be proceeded with and discussed unless under rule 41, which reads:

> Whenever a matter or question concerning the privileges of the Senate—

I think it is a question of privilege. The rule continues:

> —or of any committee or member thereof has arisen, a motion calling upon the Senate to take action thereon may be moved without notice.

That is the only way it could be done.

Hon. Mr. POPE—I have listened very attentively to the decision given by the Acting Speaker, and am at a loss to know whether I can proceed or not. The elucidation has been so extremely complicated that it is past my mentality entirely. I would like to know if I can proceed with the motion.

The ACTING SPEAKER (Hon. Mr. Sproule)—As the motion appears on the paper, I do not think the hon. gentleman could proceed. It is by inquiry and not by motion on the paper, and, therefore, not in order.

Hon. Mr. POPE—I understand that the inquiry has been ruled out of order.

The ACTING SPEAKER (Hon. Mr. Sproule)—As the hon. gentleman has the notice on the paper I can only deal with what is before the House. That is the only question which can be properly dealt with by the House at the present time.

Hon. Mr. POPE—I understand that the inquiry is ruled out of order.

The ACTING SPEAKER (Hon. Mr. Sproule)—Yes.

Hon. Mr. POPE—Then I can proceed with the matter as a question of privilege?

The ACTING SPEAKER (Hon. Mr. Sproule)—I think the hon. gentleman would be out of order in proceeding on a question of privilege on this notice.

Hon. Mr. POPE—I understood the Acting Speaker to say that was ruled out of order; if so, I may raise a question of privilege, I presume.

The ACTING SPEAKER (Hon. Mr. Sproule)—I should like to draw the hon. gentleman's attention to the fact that owing to the individual against whom it is directed, it seems to me that it could only be properly approached by a substantive notice of motion. Then when that is called the House can deal with it.

Hon. Mr. CLORAN—As a matter of courtesy.

The ACTING SPEAKER (Hon. Mr. Sproule)—It is laid down by Bourinot that:

> If a member wishes to challenge his action—that is speaking of the Speaker, in the Commons—or conduct, he must proceed in the usual way by giving a notice of a motion on the subject.

Hon. Mr. CLORAN—That applies to the House of Lords.

The ACTING SPEAKER (Hon. Mr. Sproule)—That is the only authority I can find regarding the Speaker, but in the absence of any rule with regard to the House of Lords I take it the same rule would apply as in the House of Commons, and I find that May states it in exactly the same way. Therefore, I think I am justified in the position I have taken.

Hon. Mr. CLORAN—Democracy is growing. The House of Commons is coming up to the House of Lords

The Hon. Senator Landry then took the Chair.

BILL INTRODUCED.

Bill (S), An Act to amend the Act respecting Banks and Banking.—Hon. Mr. Choquette.

A QUESTION OF PRIVILEGE.

Hon. Mr. POPE—Before the Orders of the Day are proceeded with, I should like to call the attention of this honourable body to remarks reported to have been made by the hon. Speaker of the Senate in public utterances.

The SPEAKER—If the hon. gentleman wants to attack me here I shall be obliged once more to ask the Hon. Mr. Sproule to take my place, because I do not want to be out of order myself. Will the Hon. Mr. Sproule take the Chair.

Hon. Mr. Sproule took the Chair.

Hon. Mr. POPE—Before the Orders of the Day are called, I should like to read to the hon. gentlemen of the Senate certain remarks reported to have been made in this city on the 27th day of June last by the Speaker of the Senate. I need not go through the entire report that appeared in the public press, but shall confine myself to a portion of it.

Hon. Mr. CHOQUETTE—I call the hon. gentleman to order. It is very peculiar for a member of this House to try to do indirectly what has been ruled out of order. He ought to follow the advice of the Acting Speaker and give notice that some day he will call the attention of this House to the subject that he wishes to introduce now in this irregular way. I therefore rise to a question of order. After the decision of the Chair it would be very unfair for the hon. gentleman to proceed, since he has not appealed from your decision.

The ACTING SPEAKER (Hon. Mr. Sproule)—I have only to say that in the other Chamber the rule is that what cannot be done directly cannot be done indirectly. More latitude may be allowed in the Senate, I am not familiar with the practice here, as this House has many times departed materially from the ordinary practice in the House of Commons; therefore, I am not prepared to give a decision on the point of order at the present moment until I have an opportunity to look up the authorities.

Hon. Mr. DERBYSHIRE—Give notice.

Hon. Mr. POPE—As I was about to say when interrupted——

Hon. Mr. LANDRY—The hon. gentleman has no right to proceed. The Acting Speaker says he is not ready to give his decision; therefore, the hon. gentleman has no right to go on.

Hon. Mr. POPE—I was just going to——

Hon. Mr. LANDRY—I can tell the hon. gentleman—I am not speaking as the Speaker now, but as a member of the House—if he wants to proceed now, I shall raise another point of order. He is insulting the Chair.

Hon. Mr. POPE—I beg the hon. gentleman's pardon——

Some hon. GENTLEMEN—Order, order, sit down.

The ACTING SPEAKER (Hon. Mr. Sproule)—If the hon. gentleman desires me to rule on the point of order, I ask that the matter be allowed to stand, and at the next meeting of the House I shall be prepared to do so.

Hon. Mr. CLORAN—You will not be in the Chair at that time.

Hon. Mr. POPE—Will the hon. gentleman be in the Chair? Does the Speaker promise that the hon. gentleman will be in the Chair to give a decision?

Hon. Mr. CLORAN—He has no right to be in the Chair at the next sitting of Parliament.

Hon. Mr. DANDURAND—I should like to know what is the question which His Honour the Speaker will have to decide. The hon. gentleman from Compton did not go far enough to furnish ground for a ruling. I do not know what is the question which the hon. gentleman is about to raise.

Hon. Mr. CLORAN—There can be no ruling by a Speaker who cannot be here to-morrow.

Hon. Mr. CHOQUETTE—That is another question.

Hon. Mr. CLORAN—Of course, that is another question; that is what we want to debate.

Hon. Mr. CHOQUETTE—The Acting Speaker asks that the matter be adjourned

until to-morrow in order that he may be prepared to render a decision. We cannot discuss the subject until then.

Hon. Mr. LANDRY—The hon. gentleman who made that last remark (Hon. Mr. Cloran) should credit me with having sufficient courtesy, if the Acting Speaker is to give his decision to-morrow, to think fit to call him to the Chair. I am bound in honour; that should be sufficient.

Hon. Mr. CLORAN—I do not think the ex-Speaker, now on the floor, has the right to call anybody. It is up to this honourable House to appoint any Speaker whom they want.

Some hon. GENTLEMEN—No, no.

Hon. Mr. CLORAN—Yes, it is.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—Subject to the will of the House.

The ACTING SPEAKER (Hon. Mr. Sproule)—As I understand, the observations which the hon. gentleman wished to make relate to the question on the order paper, and would be equivalent to an attack on the Speaker; that I have ruled on. I wish to find how far this honourable House, in its usual practice, permits the raising of questions without notice when you reach the Orders of the Day. To that I have never given thought, but it is a question upon which I would be prepared to rule if given time to look it up.

Hon. Mr. POPE—Just one word. I wish to correct a wrong interpretation of my motive in raising this question. I do not wish to attack the Speaker; what I wish to know is why the Speaker attacked the House. That is different.

Several hon. GENTLEMEN—Order.

The SPEAKER then resumed the Chair.

THIRD READINGS.

Bill (M), An Act for the relief of Raymond Conliffe Savage.—Hon. Mr. Derbyshire.

Bill (N), An Act for the relief of Harry Lorne White Cunningham.—Hon. Mr. McCall.

SECOND READINGS.

Bill No. 20, An Act respecting Queen's University at Kingston, and to amalgamate therewith The School of Mining and Agriculture.—Hon. Mr. Taylor.

Bill No. 3, An Act respecting The Burrard Inlet Tunnel and Bridge Company.—Hon. Mr. Bostock.

CANADIAN NORTHERN ONTARIO RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill No. 5, An Act respecting The Canadian Northern Ontario Railway Company.

Hon. Mr. SPROULE—Explain. Most of these Bills, I notice, pass on to the committee in regular form, but when they come back to the House, the report of the committee is usually concurred in and the Bills are read a third time. They are not explained here, and except those members who attend the meetings of the Committee on Railways, we have no knowledge of what we are asked to sanction. It seems to me, therefore, that all those Bills before they are sent to the committee ought to be explained in the House.

Hon. Mr. WATSON—This Bill is for an extension of time for the construction of railways from a point on its authorized line at or within ten miles east of Toronto, westerly passing near or through Toronto, Hamilton and London to a point on the Detroit river at Windsor, with a branch from London to St. Thomas and also from London to a point on the St. Clair river at Sarnia, and a branch or loop in the townships of York and Scarborough, passing north of Toronto, also the line of railway from a point on its authorized line between Port Arthur and Sudbury, near the head of Long lake, thence by the shortest practicable route in a generally northerly and westerly direction to a junction with the National Transcontinental railway east of lake Nipigon. That is the purpose for which this legislation is asked.

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

FARNHAM AND GRANBY RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. LAVERGNE moved the second reading of Bill No. 7, An Act respecting The Farnham and Granby Railway Company of Canada.

Hon. Mr. SPROULE—Explain.

Hon. Sir MACKENZIE BOWELL—Explain.

Hon. Mr. LAVERGNE—It is only to have an extension of time for the fulfilment of the construction of the railway.

Hon. Mr. SPROULE—Is it the usual extension of time?

Hon. Mr. LAVERGNE—Yes.

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

PEACE RIVER TRAMWAY AND NAVIGATION COMPANY BILL.

SECOND READING.

Hon. Mr. BOSTOCK moved the second reading of Bill No. 9, An Act respecting The Peace River Tramway and Navigation Company.

Hon. Mr. SPROULE—Explain.

Hon. Mr. BOSTOCK—This charter was originally granted in 1914. It is for the construction of a railway in the northern part of Alberta and in British Columbia. The sections specially referred to here are to get around the rapids on a couple of rivers. I think one part of the line is about fifteen and the other about seventeen miles long. The company have not been able to go ahead with the building of this road as they had hoped to do, because railways that were under construction at the time their charter was originally obtained did not proceed as fast as they had hoped they would. They preferred to wait until those other railways were built so that they could move in their supplies and construction plant at a more reasonable rate than if they had to haul everything by horses. I understand that of the railroads I have referred to, one is already finished, and the other one will be completed by this fall. The question was raised in the other House that it might be better to cut down the time for the commencement of this road; that is a question that the Railway Committee could consider when the Bill comes before them.

Hon. Mr. SPROULE—I notice that in this Bill provision is made for a tramway. Is there any special provision for charges on that tramway different from those on a railway?

Hon. Mr. BOSTOCK—Not that I know of, in the original charter.

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

LES SOEURS DE L'ASSOMPTION DE LA SAINTE-VIERGE INCORPORATION BILL.

SECOND READING.

Hon. Mr. DANDURAND moved the second reading of Bill 10, an Act to incorporate Les Sœurs de l'Assomption de la Sainte-Vierge.

Hon. Mr. SPROULE—Explain.

Hon. Mr. DANDURAND—This is an association of teachers which has been in existence over sixty years in the province of Quebec, but which has had branch institutions throughout other provinces of Canada, and for that reason they seek federal incorporation. The objects of the organization are most laudable and commendable, being for the instruction and Christian education of children, the formation of teachers, works of charity, and the progress and advancement, by all legitimate means, of education, religion, charity and benevolence, in each and every province of Canada; provided, however, that nothing in this section shall be considered as conferring on this corporation any powers, regarding the execution of the said objects, which exclusively belong to any province in Canada, save in accordance with and under the authority of the laws of such province.

Hon. Mr. DANIEL—Does the Bill authorize the organization to engage in any business undertakings?

Hon. Mr. DANDURAND—No, not beyond the objects I have mentioned.

Hon. Mr. DANIEL—It goes to the Banking and Commerce Committee, I suppose.

Hon. Mr. DANDURAND—To the Private Bills Committee.

Hon. Mr. DANIEL—Would you not think it better that it should go to the Banking and Commerce Committee?

Hon. Mr. DANDURAND—The hon. gentleman can put that question at the next stage. The motion before the House is for the second reading.

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

Hon. Mr. DANDURAND moved that the Bill be referred to the Private Bills Committee.

Hon. Mr. DANIEL—I have no serious objection to its going to the Private Bills Committee, but if the Bill authorizes this corporation to engage in any matter of business in connection with their affairs, I think it would be better to refer the Bill to the Committee on Banking and Commerce.

Hon. Mr. EDWARDS—Even supposing it is a matter of business, it is not a Bill for the Banking and Commerce Committee. There is no banking and commerce connected with it in any shape or form.

Hon. Mr. DANIEL—I can only refer to the general practice of the Senate since I have been here, that Bills of this character invariably go to the Committee on Banking and Commerce.

Hon. Mr. EDWARDS—A great mistake is made on that very subject, in my humble opinion. The previous Bill was also referred to the Banking and Commerce Committee although it is not for banking and commerce, but a private Bill.

Hon. Mr. DANIEL—I am stating the practice of the House.

Hon. Mr. EDWARDS—The practice of the House in many instances is wrong.

Hon. Mr. DANIEL—That is one way to get out of it.

The motion was agreed to.

CANADIAN PACIFIC RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill No. 13, An Act respecting the Canadian Pacific Railway Company.

Hon. Mr. SPROULE—Explain.

Hon. Mr. WATSON—Any explanation I could give the House is contained in the Bill itself. It would be much more convenient if the members of the House could attend the Railway Committee and see the maps, as it is almost impossible for me to describe the townships, sections and ranges mentioned in this Bill. The Bill is for an extension of time in connection with the two new branches. If we are going to describe those branches it would be much more convenient to have a map here for the convenience of hon. gentlemen.

Hon. Mr. SPROULE—I fully concur in the observation of the hon. gentleman who has just taken his seat (Hon. Mr. Watson), that if we desire to get any intelligent information regarding where these railroads are to be constructed, it would be most convenient to have a map, because in no other way, in that illimitable country, could we appreciate the extent of territory that is being corralled by those railways. Yet I think in all those cases we should have as full information as could be given the House before committing ourselves to the Bill, for when it comes back from the Railway Committee it usually gets very little attention in the House, I notice, and therefore we may be granting many things that on closer scrutiny we would not sanction.

Hon. Mr. WATSON—This is a Bill for the Canadian Pacific Railway Company, and we do not find, as a rule, that they cover any territory that they do not make use of.

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

PACIFIC NORTHERN AND OMINECA RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill No. 15, An Act respecting the Pacific Northern and Omineca Railway Company.

Hon. Mr. SPROULE—Explain.

Hon. Mr. WATSON—This is simply for an extension of time; there are no new powers asked for here. I might add that this demand for detailed information is rather a new departure, and if I am to be asked to explain all the Bills to which my name is attached I shall be kept busy. I cannot give the House any explanation.

Hon. Mr. SPROULE—Am I correct in understanding the hon. gentleman to say that this Bill is not asking for any new powers, but simply an extension of time? It seems to me that the House ought to know whether it is a Bill for an extension of powers already granted, and to what extent they are to be extended.

Hon. Mr. WATSON—The original charter for this railway was granted in 1902 and extended in 1904, 1906 and 1911, and they are asking for an extension of time for construction. That is all that I see in the Bill.

Hon. Mr. SPROULE—It is simply an application for an extension of time. They

have not constructed the railway and they ask for an extension of time.

Hon. Mr. WATSON—I do not know.

Hon. Mr. SPROULE—I think the Bill ought to stand until we can get further information about it.

Hon. Mr. MURPHY—Let it go to the committee.

Hon. Mr. SPROULE—I admit that the Bills are all printed and that this is only the second reading, but I have already said, and I am bound to repeat it while I am on my feet, that in the case of most of these Bills, according to the practice here, the large majority of the members of this House might pass them without knowing anything of their contents, because when the committee deals with a Bill and it is reported back I notice it is the usual practice to move that the report of the committee be concurred in, and then that the Bill be immediately read a third time; therefore, it has never been under the consideration of the House as a whole except just when introduced, and no questions are asked then.

Hon. Mr. BOSTOCK—To-day is the first time we have had any Bills up from the Railway Committee this session, and I notice that His Honour the Speaker accepted motions for the third reading to-day instead of allowing them to stand over to another day. I did not notice it myself until after the first Bill had gone through, and as all these Bills for an extension of time and no amendment was made to them in the committee, I did not take any exception to it; but I think the ordinary regular practice of the House is to allow a Bill to stand over, when it is reported from the committee, until the following day for the third reading.

The SPEAKER—That is the practice we follow generally in this House, except where there are no amendments. When no one opposes, the general practice has been to move the third reading the same day that the report is presented and adopted. When any objection is made it must be postponed until the following day.

Hon. Mr. DANDURAND—I draw the attention of this House to the difficulty we are under in discussing a Bill, for instance, asking for an extension of time, at the second reading; because it is only when the Bill is before the committee that we will know why the construction of the railway has not been begun or finished within the terms of the Act. It is only after hearing the parties that the committee is in a position to give its opinion as to the advisability of extending the time.

Hon. Mr. ROSS (Middleton)—All parliamentary practice requires a Bill to be explained, and the principle is adopted on its second reading. In the Imperial Parliament and in the House of Commons that is the practice, and it used to be so in this House. Some two years ago complaint was made by some of the older members of the House, notably Sir Mackenzie Bowell, I think, about this very practice which is growing up here. The mover of the second reading should be prepared to explain his Bill, and any one having objection to it would then have a chance to state his objection and have a thorough discussion of the Bill before it goes to the committee. It is only fair to the committee that the Bill should be first discussed, the principle of it, at all events.

Hon. Mr. EDWARDS—I must disagree with my hon. friend who has just taken his seat. I was a long time in the House of Commons, and the great majority of the Bills there passed without any explanation on the second reading. It was only in cases where it was thought by a member that explanation was desired that it was asked for.

Hon. Mr. SPROULE—But may I remind the hon. gentleman that when the report comes back from the Standing Committee, the House of Commons goes into Committee of the Whole on the Bill and it is then sifted right through. When the Bill is reported from the Committee of the Whole, if no amendments are made, it may then be read a third time. In this case, however, the House never goes into Committee of the Whole on a Bill, and therefore the Senate as a whole knows little about what is passing.

Hon. Mr. DANDURAND—The report from the committee can be discussed and considered fully, and then another stage takes place, which is the third reading; but of course when all the members present are familiar with the provisions of the Bill, and it seems to be a matter of course that it should be allowed, it may pass through the two stages the same day. It may be a bad practice.

Hon. Mr. MURPHY—It is.

Hon. Sir MACKENZIE BOWELL—This is a question which has been discussed repeatedly in the Senate. On a number of occasions I have called the attention of the Senate to the necessity of explaining the character of a Bill when it is introduced in order that the Senate as a whole may know what they have to consider. We all know that when a Bill goes to a committee it is thoroughly threshed out, but the explanations which are given before the committee are scarcely ever repeated in the Senate when the Bill is reported, and clearly those who are not on the committee know nothing about it. As to the extent to which this principle of explaining a Bill was carried in the House of Commons many years ago, I remember distinctly that Sir John Macdonald laid down the rule that the principle of a Bill was affirmed on the second reading; but he appealed to the Speaker to make the declaration that if a Bill was allowed to go to a committee without explanation, it should be distinctly understood that the principle of the Bill was not affirmed by the House. That is the practice in the Imperial Parliament and it was the practice for many years here until we got into the loose habit of passing Bills without explanation. One can easily understand that a Bill might affirm principles which the House would not sanction if they knew what they were. The principle laid down at that time by Sir John Macdonald was a good one, and I have repeated it in the Senate before, that in permitting the second reading of a Bill without explanation further than the reading of the title, the principle of the Bill should not be considered affirmed by the Senate because they allowed it to go without question.

Hon. Mr. WATSON—There is no doubt the statement made by the hon. gentleman from Middleton is perfectly correct. When we pass the second reading we adopt the principle of the Bill, but in the Bills we are referring to now there is no new principle involved. In practice in the Senate we have been granting extensions of this character from year to year, but there is no new principle involved. That being the case, I do not see why we should be called upon to give an explanation of an extension of a charter that has been in existence for some time.

Hon. Mr. ROSS (Middleton)—The explanation should be given that there is no new principle involved.

Hon. Mr. DERBYSHIRE—At the time of the introduction of this Bill and the motion to read it a second time, if it had been explained that it was an extension of time and no new principle involved, there would have been no difficulty. There is nothing new in the Bill. It is merely a request for an extension of time because the company did not have the money to go on with the work.

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

CANADIAN INDEMNITY COMPANY BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill No. 17, An Act to incorporate the Canadian Indemnity Company.

He said: This is a Bill for the organization of the Canadian Indemnity Company composed of a number of very wealthy gentlemen in Winnipeg who wish to go into the indemnity business, and they are taking the usual powers held by such companies. Clause 8 of the Bill reads:

> 8. The company may acquire the whole or any part of the rights and property of the Canadian Indemnity Company, incorporated by chapter one hundred and eight of the statutes of Manitoba, 1912, and in such case the company shall perform and discharge all such duties, obligations and liabilities of that company with respect to the rights and property acquired as are not performed or discharged by that company.

They simply ask for certain powers. The capital stock is to be $200,000, and before they do business $100,000 has to be paid up. They ask for power to do the usual business that is done by an indemnity company.

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

W. C. EDWARDS COMPANY BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill No. 18, An Act respecting W. C. Edwards and Company, Limited.

He said: Very little explanation is required of this measure. I am not aware that the public are much interested in the principle embodied in the Bill. The company are increasing their stock from

$400,000 to $4,400,000. It is entirely a domestic matter in which the public are not interested.

Hon. Mr. ROSS (Middleton)—Any water in it?

Hon. Mr. WATSON—The Rideau river is very closely connected with the company, and there is some water there.

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

BILL INTRODUCED.

Bill No. 19, An Act respecting a patent of Jas. W. Owen.—Hon. Mr. Taylor.

RAILWAY ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill No 47, An Act to amend the Railway Act.

The Bill was read the first time.

Hon. Mr. LOUGHEED—With the leave of the House I should like very much to get a second reading of this Bill to-day, with a view to having it sent to Committee of the Whole and read a third time to-morrow. It is a very important subject and is also very pressing. It has to do with the removal of the congestion of grain in the Northwest. As hon. gentlemen may know, it has been very difficult to carry much of this grain from local points owing to the lack of railway facilities in the more newly opened districts. Briefly the Bill provides: That the Railway Commission may be authorized to issue an order affecting two roads, so that the two roads may co-operate in carrying this grain from the point where it may be stored. At the present time that cannot be carried out; that is to say, much of this grain may be stored upon the line of the Canadian Northern railway. They may not have facilities for carrying that grain to the head of the lakes. The object of the Bill is to give authority to the Railway Board to make an order that the railway—say the Canadian Northern—may carry this grain to the nearest elevating point, and from that point it may be carried by some other road to the head of the lakes.

I would direct the attention of hon. gentlemen to a rather lengthy letter written by Sir Henry Drayton, chairman of the Railway Board, to the Minister of Railways as to the necessity of this legislation. It will be found on page 1361 of the Commons Hansard. It covers several columns. Possibly hon. gentlemen may not wish to read it all, but I shall refer to one paragraph so as to impress upon the House the necessity of this legislation being passed at once in order to relieve the congestion which at present obtains in the West. The paragraph to which I refer reads as follows:

> The condition of the farmers in the Goose Lake district for example, to-day is that in so far as the 13,677,000 bushels of grain already referred to are concerned, they cannot market it, and owing to lack of storage facilities, for which of course the railway is not all to blame, they will be unable to save a large percentage of it under the present transportation conditions.

So that hon. gentlemen will appreciate from that one statement—and there are many of a similar kind—the importance of this legislation being passed at once, so that the Railway Board may make the order necessary for the transportation of this grain. I ask that the Bill receive a second reading at our present sitting, with a view of putting the Bill through Committee of the Whole, and having the third reading to-morrow.

Hon. Mr. DANDURAND—Is it the intention to have the Bill sanctioned to-morrow?

Hon Mr. LOUGHEED—I do not know about that, but the Railway Commission will feel free to make the order, knowing that this Bill has passed the Senate.

Hon. Mr. DOUGLAS—How will this arrangement with the Government harmonize with those companies from the American side who have so much grain stored in that section of our country to which we refer? Is it going to make any serious complications?

Hon. Mr. LOUGHEED—I apprehend not. If those railways cannot furnish facilities for taking the grain out, then it will permit the Railway Commission to make an order upon some other railway to furnish the additional transportation that may be required. It is all for the advantage of the public. If the railways cannot provide equipment to meet the emergent conditions which arise from time to time, then the Railway Board must take it into their own hands to see that the public shall not suffer

Hon. Mr. DOUGLAS—The public has suffered already. I understand the matter, and am personally interested to a considerable extent. I know the districts of country to which the hon. gentleman refers, and the condition in which they may be placed. I would also say that the House need not be unduly alarmed about the condition of things as it now exists. The last time we had the subject under review there was a great deal of misapprehension and misunderstanding, and it was thought that that part of the country would lose very heavily, but before the end of March was reached it was found that such were the conditions of the climate that there was very little loss connected with the transhipment of the grain. I passed through that district just before the opening of the House, and I may say you will find nearly all the grain stored in buildings that are open to the sky. There is no flooring to them. There is simply a sheet of tar paper and some straw placed on the ground, and then the building is filled up for about ten or twelve feet. It is without a roof and exposed to the weather. The people are not anticipating any difficulty; they expect that before the spring opens up some means will be devised to have the grain transhipped.

Hon. Mr. LOUGHEED—This is the way we are doing it.

Hon. Mr. DOUGLAS—It is not a very good way to do it. For example if you command me to hold $10,000 or $12,000 worth of grain, and I must not sell it before a given time, before that time arrives the opportunity to sell may be gone. I have not the liberty to deal with my own produce at a time when I believe it will be most beneficial, and there is bound to be considerable loss. I, however, am thankful to know that we do not deal with our grain in that loose way, that everything is under roof and protected, so that we are not alarmed about it. Still it is a very serious thing for any Government to come in and say, "You can only sell at a given date, and when it has reached a given price, and you must not sell it until we dictate to you as to when and how the liberty is to be exercised." Therefore I hope the Government will not be hasty in considering the matter. This question of transhipment over railways has given rise to a great deal of discouragement and want of confidence even in the Government of our country, and I hope that the Government will not rush into things without proper consideration and cause further trouble. I should like the Government to leave it over for a day or two until this House is apprised as to what is the best method of dealing with the matter, in these circumstances. The Goose Lake region is a very important country and has produced a great deal of grain which has still to be dealt with. I think the Government might leave the Bill over for two or three days, and let the West have time to fully take it into consideration. There is no pressing necessity in the month of March for being in great haste. If the hon. leader could leave it for two or three days, until the West becomes fully apprised of how the grain is to be handled, and how they are to be dealt with, it might save a good deal of feeling and trouble.

Hon. Sir MACKENZIE BOWELL—Could the hon. gentleman explain what possible good is to be attained by a delay of three or four days? Has the hon. gentleman any suggestion to offer which would be an improvement on what the Government proposes to do?

Hon. Mr. DOUGLAS—I think we have come to a period in our history when the liberties we have enjoyed in the past shall be enjoyed for the future, and the question has to be fought out on entirely new grounds.

Hon. Mr. LOUGHEED—The hon. gentleman does not understand what we are doing.

Hon. Mr. DOUGLAS—I do not wish to discuss the question just now, but I want you to understand that if the Government goes forward commandeering all the grain it is bound to run its head against a solid rock out West.

Hon. Mr. WATSON—I do not quite agree with the hon. gentleman who has just spoken. I commend the Government for taking this drastic action, even at this late date. The letter from the Railway Commission, which has been referred to, sets the matter fully before us, that there are a great many thousand bushels of grain which may be destroyed and rendered useless to the farmer unless taken care of in the near future. I should like to see the commission go further and allow the United States roads to come over and help to relieve the situation. We have an unfortunate situa-

tion in the West to-day. Last year we had a crop almost three times the size of the regular ordinary crop, some land yielding as high as 60 and 65 bushels to the acre. The newly settled districts could not get lumber to make buildings to hold the grain, and I think there were millions of bushels of wheat simply threshed and dumped on the ground where it lies to-day, with a little straw over it. That is all the protection it has had. Unless it is taken care of in the near future, it will be a total loss to the farmer. I do not know whether this relief suggested by the commission will be sufficient. It is rather a long report, and I have not read it through. I claim that the Government is justified in allowing the United States roads to come in and assist in relieving the situation in that country. I have been informed by a person who, I think, was in possession of the facts, that on 100 miles of railroad of the Goose Lake branch, there was only one water tank to supply the locomotives. If that is the case water will have to be taken in there for the locomotives. The Government cannot get busy too soon, and I am glad the Grain Commission made this report. Too much latitude cannot be given to the Grain Commission in assisting in the handling of that grain. It is a very unfortunate thing, when we have this tremendous crop and the wheat is wanted so badly elsewhere in the British Empire, that the railways have not the facilities to handle it. I commend the Government on their action, and will do anything I can to assist in pushing this legislation through.

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

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

THE SENATE.

Friday, March 3, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (T), An Act for the relief of Mary Phyllis Lasher.—Hon. Mr. Taylor.

Bill (U), An Act for the relief of Mabel Mills.—Hon. Mr. Derbyshire.

RECRUITING IN COUNTIES OF PONTIAC, WRIGHT AND LABELLE.

INQUIRY.

Hon. Mr. DAVID inquired:

1. Has the recruiting in the counties of Pontiac, Wright and Labelle, forming part of the 3rd Military Division of Kingston, and included in the district of Ottawa, been assigned to the Military Division No. 5 of Quebec?

2. Are officers or recruiting agents of the province of Ontario allowed or authorized to recruit in the above counties?

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

No. 1. No.

No. 2. Yes.

THE UTTERANCES OF THE SPEAKER.

The SPEAKER—I ask the Hon. Mr. Sproule to take the Chair.

The Hon. Mr. SPROULE being in the Chair—

Hon. Mr. BOSTOCK—I presume in the order of business we will now take up the Orders of the Day.

Hon. Mr. DANDURAND—We might dispose of the Orders of the Day before we take up the other matter.

The ACTING SPEAKER—I can only say that I have been called to the Chair. I regard it as my duty to give a ruling on the question that was raised yesterday and which I then held in abeyance until I could consult the authorities on the subject. The question was whether the Hon. Mr. Pope could deal with the matter on the Order Paper as a question of privilege. At the time I was not quite sure whether it could be so regarded, but on looking up the authorities on the subject I came to a conclusion in the matter. I may preface my remarks by saying that in giving a ruling, as I understand it, the strongest authority and the controlling authority must be the orders or rules made by the House itself and embodied in any work to guide the conduct of the House. Rule 21 says:

When a senator wishes to give notice of an inquiry or motion, he reduces the notice to writing, signs it, reads it from his place during a sitting of the Senate and hands it in at the Clerk's table. This rule does not apply to motions with respect to Bills, nor to motions dealing with reports of committees, etc.

Then rule 40 reads:

When it is intended to make a statement or raise a discussion on asking a question, the

senator having such intention, as part of the notice under Rule 21, gives notice that he will call attention to the matter inquired into.

Rule 41 says:

Whenever a matter or question directly concerning the privileges of the Senate, or of any committee or member thereof, has arisen, a motion calling upon the Senate to take action thereon may be moved, without notice, and shall, until decided, unless the debate be adjourned, suspend the consideration of other motions as well as Orders of the Day.

The question submitted to me was whether the hon. gentleman had a right, on a question of privilege, to ask a question and deal with it before the House. I am convinced that he was quite within his rights in so doing.

Hon. Mr. POPE—I understand by the decision of the Speaker that I have a right to proceed with my inquiry, but at the request of several members who wish to leave on this afternoon's train I am agreeable that the matter stand until this House meets a week from next Tuesday. I just wish to reserve my rights.

Hon. Mr. LANDRY—I do not think the hon. member is required to make a motion. By the decision of the Chair, if it is a question of privilege he can bring it up at any tme.

Hon. Mr. CHOQUETTE—But I would ask him to bring it up when we will be here. Next week we shall be sitting only on Tuesday—but one day in the week.

Hon. Mr. POPE—As I understand the decision, I am at perfect liberty to bring up this question of privilege at any time. I just wished to give a reason why I do not go on to-day; it is at the request of hon. gentlemen who wish to go away.

SECOND READING.

Bill (O), An Act for the relief of Nora Louise Jackson.—Hon. Mr. Ratz.

SECOND AND THIRD READINGS.

Bill (P), An Act for the relief of Henry John Thomas Wardlaw.—Hon. Mr. Derbyshire.

Bill (Q), An Act for the relief of Robert William Thompson.—Hon. Mr. Derbyshire.

THE INSURANCE COMPANY OF CANADA INCORPORATION BILL.

SECOND READING.

Hon. Mr. DANDURAND moved the second reading of Bill (R), An Act to incorporate The Insurance Company of Canada.

Hon. Mr. SPROULE.

Hon. Mr. SPROULE—Explain.

Hon. Mr. DANDURAND—This is an ordinary demand for an Act of Incorporation of a new fire insurance company based on the regular draft Act in the Insurance Act.

Hon. Mr. SPROULE—I should like to ask the hon. gentleman why it is called "The" Insurance Company of Canada?

Hon. Mr. DANDURAND—I presume the petitioners have petitioned for that name. It will be for the committee to decide if that name should be granted.

Hon. Mr. SPROULE—I am of opinion that some other companies will object.

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

RAILWAY ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 47, An Act to amend the Railway Act.

Hon. Mr. BOSTOCK—Does my hon. friend wish to make any further explanation to the House as to the reasons for introducing this Bill?

Hon. Mr. LOUGHEED—I doubt if I can give further information than that given yesterday. I then directed the attention of the House to an exhaustive letter prepared by the Chairman of the Railway Commission as to the pressing necessities for this legislation. I read some extracts from that, which indicated that there was a very great congestion of grain at many points in the Northwest Provinces, and particularly on one branch of the Canadian Northern railway, namely, the Goose Lake branch, in which there are approximately 14,000,000 bushels—

Hon. Mr. WATSON—20,000,000.

Hon. Mr. LOUGHEED—which under present conditions cannot possibly be moved. I might say that a prominent member of the Alberta Legislature waited on me some weeks ago and I put him in touch with the Chairman of the Railway Commission, who pointed out to me the disastrous effects that would flow from the inability, particularly of the Canadian Northern Railway, to remove the grain upon this particular branch. It turns out that since that time the Railway Commission has instructed one of its officers to make an investigation of the whole situation in those

different provinces, and in the letter to which I have referred will be found a statement of a similar congestion, perhaps not on so large a scale, existing on the lines of the different railways.

Hon. Mr. WATSON—The Canadian Pacific railway.

Hon. Mr. LOUGHEED—Particularly the Canadian Pacific railway; consequently if by legislation the Railway Board should be able to marshal all the railway equipment that may come within their jurisdiction for the purpose of transporting this grain to the head of the lakes, it is manifestly obvious to hon. gentlemen that it will be in the interests of the public.

Hon. Mr. BOSTOCK—To some extent we ought to enter our protest about being asked to deal with an important Bill of this kind at so short a notice. I realize the probable importance to the country of putting through this legislation without delay, but this is almost the first Government measure we have had before us this session, and we are asked to deal with it on very short notice. It is an important measure, and gives the Railway Commission very far-reaching powers. After the explanation of the hon. member representing the Government in this House, it is evident that the powers herein given are necessary in order to assist the business of the country at the present time. In the discussion that took place on this Bill in another place a question was raised by one hon. gentleman, and not answered by the Government as far as I understand, as to whether this Bill would entail any further expense on the person shipping the grain, in the event of its being put through an elevator. I understand that this arrangement will not in any way involve further expense on the shipper than he incurs at the present time. The expense to him of having this grain put into an elevator and inspected, and a certificate given, will be exactly the same as it is at the present time. I would also point out to the House that this Bill deals only with terminal elevators. Under the Grain Act there is a definition of elevators; the public elevator is defined, and also the terminal elevator; and when I first read this Bill I was under the impression that the terminal elevators were only those at places like Fort William, Port Arthur, Montreal, and at the seaboard generally; but I find that under the Grain Act the Governor in Council has power to declare that certain elevators are terminal elevators, and that this has been done in the case of three elevators at any rate throughout the Northwest—one at Saskatoon, which, according to the statement made by the Chairman of the Railway Commission, is one of the elevators particularly dealt with under this Bill—one at Moosejaw, and a third at Calgary, and, therefore, that this Bill, as far as elevators are concerned, will practically deal only with those three elevators. The power herein given is limited, inasmuch as the Bill only gives the Railway Commission power to act in this way after the close of navigation on the Great Lakes and before the next harvest, if I understand the Bill aright; so that the Railway Commission will be only exercising those powers if they think it is in the interest of the country that grain should be moved quicker than can be done by one particular railway using its own rolling stock.

Hon. Mr. LOUGHEED—Even more than that; if the company is unable to transport the grain.

Hon. Mr. WATSON—I should like to ask the minister why the time is limited until after the closing of navigation. Mr. Drayton, the Chairman of the Railway Commission, sets forth in this report that the Grand Trunk Pacific have an abundance of rolling stock and to spare, both motive power and cars. Why should the Railway Board not have power to allow the Grand Trunk Pacific to carry a portion of that grain before navigation closes? Why should they wait until the close of navigation?

Hon. Mr. EDWARDS—Where to?

Hon. Mr. WATSON—To the terminus—out of the farmers' hands. The necessity for this legislation is the condition of affairs in that part of the country There are millions of bushels of wheat lying on the ground with no protection but a covering of straw. It seems to me when the Government is taking those powers to deal with common carriers like the railways who come here for franchises and aid, they should take full control of all rolling stock available to relieve the situation at any time before navigation closes. It is a notorious fact that in the Northwest wherever there is a railway monopoly, the people are at a disadvantage. Wherever there is competition the railway companies furnish all the cars necessary. In the vicinity where I live we have four railroads,

the Canadian Pacific, the Great Northern, the Grand Trunk Pacific and the Canadian Northern. The cars are standing on the siding waiting to take the crop out, but at places like the Lake branch, where the Canadian Northern have a monopoly of the carrying, they simply let the wheat remain until they get through removing the wheat where there is competition, knowing they will get this wheat at a later date. My information is that, in addition to the blockade in wheat at these places, the road is badly equipped for carrying anything, that they have not sufficient locomotives and cars and are practically without water. I understand there is only one good supply of water in 100 miles of road on the Canadian Northern railway. At this season of the year it seems to me that if the railways which carry the wheat out of that part of the country have to get a supply of water to operate their engines, they have a serious task on hand. That is my information. I should like to ask the minister if he has any information in regard to the scarcity of water on that line, and I would like to know if the Government has considered the advisability of taking power to direct the company to take the wheat out before navigation closes.

Hon. Mr. LOUGHEED—The reason, as far as I can ascertain, is that up to the time navigation closes, every road has all it can do, and it would not be regarded as right that they should be taken away from their legitimate territory where they find sufficient freight to carry, and that the board should have power to place them in some other territory; that is to say, every road, as my hon. friend knows, has all it can do during the period of navigation carrying freight to the head of the lakes. There is no equipment standing idle during that time, but immediately navigation closes congestion begins in some places.

Hon. Mr. WATSON—I should judge from the report of Chairman Drayton, that the Grand Trunk Pacific Railway have a surplus of rolling stock and motive power.

The CHAIRMAN—At all seasons of the year?

Hon. Mr. WATSON—Well, practically. During navigation every car is employed, but after navigation closes they may not be employed.

Hon. Mr. McSWEENEY—When I was in Winnipeg on the excursion of the Canadian Northern Railway they told me on the National Transcontinental Railway that they had 600 cars there loaded, but not the engines to take them out.

Hon. Mr. BELCOURT—Did I understand my hon. friend to say that only one of the two contingencies specified in the Bill applied? In other words, did my hon. friend mean that it is only in case of failure to provide the necessary rolling stock after navigation that the Act applies?

Hon. Mr. LOUGHEED—That appears in the 10th and 11th lines; after the close of navigation and before the next harvest.

Hon. Mr. BELCOURT—If the company is unable, or fails, etc.—that applies only after the close of navigation?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BELCOURT—I thought the hon. gentleman intimated that it is only in the second alternative, after navigation closes, that the Act would apply.

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. BELCOURT—If they are unable after the close of navigation—or if they fail after the close of navigation—

Hon. Mr. LOUGHEED—In both cases.

Hon. Mr. BELCOURT—I thought the hon. gentleman said it was only in case of failure.

Hon. Mr. LOUGHEED—No, I said there was that additional condition that might justify the Railway Board in invoking the power to act. I might say to the hon. gentleman from Portage la Prairie, that this is rather an extraordinary power that is being given to the Railway Board. It is the result of a compromise between the Railway Board and the railways. It was discussed between them, and it was thought undesirable to interfere with normal conditions, and that only after the period of navigation this power would be invoked.

Hon. Mr. BELCOURT—I suppose the board would not make an order of that kind without hearing the parties.

Hon. Mr. LOUGHEED—No, I think the administration of the Railway Board has given satisfaction to the public and to the railway companies.

Hon. Mr. BELCOURT—The question is whether it would not be wise to arrange that notice should be given.

Hon. Mr. LOUGHEED—The Act provides that before any application is made, notice shall be given by the board. I understand there is a general clause to that effect.

Hon. Mr. BELCOURT—Would it apply to this?

Hon. Mr. LOUGHEED—It would apply generally.

Hon. Mr. WATSON—Will it apply to the Canadian Northern?

Hon. Mr. LOUGHEED—To all railways except the Intercolonial railway. The Intercolonial railway does not come under the jurisdiction of the Railway Act, but all roads coming within the jurisdiction of the Railway Act are subject to this legislation.

Hon. Mr. McSWEENEY—The National Transcontinental railway does not come under the Railway Act.

Hon. Mr. WATSON—If the Government would put wheat on the free list that would be the greatest thing we could do to relieve the situation.

Hon. Mr. LOUGHEED—My hon. friend had better put a notice on the Order Paper with regard to that.

Hon. Mr. THOMPSON, from the Committee, reported the Bill without amendment.

The Bill was then read the third time, and passed.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

Tuesday, March 7, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

POSITION OF DR. FERGUSON ON GOVERNMENT RAILWAYS.

INQUIRY.

Notice of inquiry by Hon. Mr. McSweeney being called:

1. What is the position of W. H. Ferguson, M.D., in the employ of the Government Railways?

2. Is his position a new one, and what is his salary?

Hon. Mr. LOUGHEED—Although the hon. gentleman is not here to-day, I shall give the answers to his inquiries and he can find them in the Debates. The answers are:

1. Chief medical officer.

2. Position is a new one rendered necessary by the enlargement of the Government Railways' System, by the taking over for operation of the Transcontinental, the Lake Superior Branch of the Grand Trunk Pacific; the International, the New Brunswick and Prince Edward Island, the St. John and Quebec Railway, the Dartmouth to Deans Branch, in addition to the Intercolonial and Prince Edward Island Railways. Salary as Chief Medical Officer of the Employees' Relief and Insurance Association, $500; as Chief Medical Officer of the Provident Fund, $1,000; As Chief Medical Officer of the Canadian Government Railways, $1,000; total, $2,500. Dr. Ferguson has supervision of all medical work on the Canadian Government Railways; personally looks into all serious damage claims for alleged injuries and passes on all claims on the Insurance Association or Provident Fund.

POSITION OF MR. GUTELIUS ON GOVERNMENT RAILWAYS.

INQUIRY.

Notice of inquiry by Hon. Mr. McSweeney being called:

1. If Mr. F. P. Gutelius is manager of the Transcontinental railway as well as the Intercolonial railway?
2. What is his salary?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's inquiries are:

1. Mr. Gutelius is manager of Canadian Government railways in which the Eastern Division of the National Transcontinental railway is included.

2. $20,000 per annum.

AN ADJOURNMENT.

MOTION.

Notice of inquiry by Hon. Mr. McSweeney being called:

That when the Senate adjourns to-day it do stand adjourned until Tuesday, the 14th inst., at 8 o'clock in the evening.

The motion was agreed to.

A QUESTION OF PRIVILEGE.

Hon. Mr. DAVIS—Before the Orders of the Day are called, I rise to a question of

privilege. The Ottawa Citizen of Saturday last published a report of evidence taken before a select committee of the Saskatchewan Legislature in connection with some scandal. In giving his evidence before that committee the Hon. James Calder is reported to have connected my name in a certain way with that scandal. I suppose most of the hon. gentlemen of this House have read the report. The gist of it is that myself and two other members of the House of Commons had been purchased by the brewers, through the Hon. Robert Rogers, to oppose the policy of the Scott Government. That is what it means boiled down, if it means anything. I think I owe it to myself and owe it to the House to make a denial of any such statement.

Hon. Mr. CASGRAIN—Would the hon. gentleman just read the report to which he refers? I have not read it.

Hon. Mr. DAVIS—This is the item:

Told to "Fall In."

Hon. James Calder swore that Pierce had come to him last spring and said Brunner had told him that Rogers and the brewers had a fund of half a million, and they were going to break the Scott Government. He told him to fall into the plot and keep him informed. Calder had then employed the Thiel Detective Agency of Winnipeg to investigate the case and to prevent consummation of the plot. This step was taken not wholly because of what Pierce told him, but partially because he had heard rumours about the hotelmen bribing members in 1913 to kill the Banish-the-Bar Bill. Then, too, as soon as Scott had declared his dispensary policy at Oxbow, Senator T. O. Davis, of Saskatchewan, Dr. Neely, M.P. for Humboldt, and Champagne, M.P. for Battleford, all prominent Liberals, had come out in opposition, and he had been informed that they were in communication with Rogers, and had a $500,000 fund from the brewers to use in Saskatchewan. The Shellbrook by-election was coming on and he feared the Rogers brewery plot might culminate in defeating the Government candidate there and make it appear as an expression of the electors against the Government. The three Liberals mentioned went to Shellbrook and took an active part in the election against the Government.

Brunner is the man who had been giving evidence. The meaning of that item is perfectly plain. If it means anything it means that myself and two other members were bought up by Mr. Rogers and by the brewing interest. I may have many faults, and I have been accused of a great many things in my province, but this is the first time in the twenty years I have been in public life that I have been accused, or that anybody has suggested that I could be paid to do anything of the kind.

As a matter of fact, I have opposed for some time, not only this policy, but a great many other policies of the Scott Government—new-fangled legislation that they have been passing and putting through in Saskatchewan that I consider not to be to the best interests of the province. It is suggested that I must fall in line and swallow all kinds of policies advocated by the Government, and when I do not submit, I am accused of having been purchased by the brewers. Why, some time before this legislation came in I was opposed to the policies of the Scott Government but said nothing. However, I am not going to submit when a few men, sitting around a table and, like the three tailors of Tooley street, claiming to speak for the people, attempt to force on the province a policy to which I am opposed. The Czar of Russia having issued his ukase declaring that no more liquor should be sold in Russia, Czar Scott, of Saskatchewan, attempts to follow his example.

The SPEAKER—The hon. member may reply to the statement he has quoted, but he has no right to make an attack on an outside Government.

Hon. Mr. DAVIS—The outside Government has made an attack on me.

The SPEAKER—The hon. member has a right to reply to what was said.

Hon. Mr. DAVIS—I am giving my reasons—that it was not democratic, that it was not liberalism—

The SPEAKER—I think the hon. gentleman has no right to introduce that issue into a debate in this House.

Hon. Mr. DAVIS—We will drop it at that, but I want to say here and now that I never in my life spoke to any brewer as to that legislation; that I had no connection directly or indirectly with the Hon. Robert Rogers, and I think the Hon. Robert Rogers knows me too well to approach me in the manner suggested in the statement I have quoted. I opposed the Government's policy because I considered it was not in the public interest, and because I thought the action which Mr. Scott took was undemocratic. In my public life I have no connection with brewers, Mr. Rogers or anybody else; I act off my own bat.

Hon. Mr. MURPHY—I should like to ask the hon. gentleman if that extract is from evidence under oath, or only a newspaper report?

Hon. Mr. DAVIS—I understand it is a report of evidence taken under oath.

Hon. Mr. MURPHY—If it was the paper's own report you have your redress against the newspaper.

Hon. Mr. DAVIS—This is a newspaper report of the evidence given by Mr. Calder before that committee, I suppose on oath.

Hon. Mr. MURPHY—By the Attorney General of Saskatchewan?

Hon. Mr. DAVIS—Yes.

Hon. Mr. MURPHY—Is there no redress against him?

Hon. Mr. DAVIS—I do not know.

THIRD READINGS.

Bill (D), an Act respecting certain patents of Stone, Ltd.—Hon. Mr. McHugh.

Bill (O), an Act for the relief of Nora Louise Jackson—Hon. Mr. Ratz.

PATENT OF JAMES W. OWEN.

SECOND READING POSTPONED.

The Order of the Day being called:

Second Reading of Bill 19, "An Act respecting a patent of James W. Owen."—Hon. Mr. Taylor.

Hon. Mr. LOUGHEED—Owing to the absence of Hon. Mr. Taylor I would suggest that the Order of the Day be discharged. It has been the practice of this House to discuss patent Bills, particularly on the second reading, and I think Mr. Taylor ought to be present.

The order was discharged.

HARVEY HUBBELL PATENT BILL.

The Order of the Day being called:

Consideration of the amendments made by the Standing Committee on Miscellaneous Private Bills to Bill (E), An Act respecting a certain patent of Harvey Hubbell, incorporated. —Hon. Mr. Boyer.

Hon. Mr. BOSTOCK—In the absence of Hon. Mr. Boyer I move that the report be adopted. The amendment made to the Bill was simply putting in a clause at the end reserving the rights of anybody who happened to have manufactured after the patent lapsed.

Hon. Mr. LOUGHEED—Has this Bill been discussed?

Hon. Mr. BOSTOCK—It was discussed in the House here, and then went before the committee. It came up at the same time as the patent referred to in the first Order of the Day—that of Stone Limited.

Hon. Mr. THOMPSON—Did the Bill go before the committee without that provision for the protection of other parties?

Hon. Mr. BOSTOCK—Yes.

Hon. Mr. THOMPSON—And it was only by the action of the committee that that clause was put in? I think it was a very questionable proposition.

Hon. Mr. MURPHY—In the Private Bills Committee, ever since I have been in this House, we have been wrangling over the extension of these patents. Now we have made regulations governing the action of the committee, and these have been set aside over and over again, and are being set aside in the case of the present Bill and two or three others during the present session. We have come to the conclusion in the Private Bills Committee, and given formal notice, that no more extensions of this kind would be granted, and that unless it was made clear that the default was one for which the party was not responsible, we would refuse to consider the application. Here we have two Bills reported back to the House, as to which a gross injustice may exist. A man gets a patent, and after three payments has a right to get it renewed. He holds it for six years, and during all that time some mechanical features of that patent may have been interfering with something another man had. Yet, after allowing the patent to lapse he comes back and asks for legislation to revive it after the public should have had an opportunity to use the invention. I have always held that this was a wrong principle, and I take the stand now that those Bills should not have been allowed to pass, according to the regulation of the committee.

Hon. Mr. WATSON—I am not a member of the committee, but I was present at the time the Bill was discussed, and the deputy minister, who has charge of patents, was there and explained that it was only a few hours, I think, in this particular case that the payment was late. The extreme one was only a few days late, and he said if there ever was a case for renewing a patent this one should be renewed. That is the view that the department took of it.

Hon. Mr. MURPHY—But you always have a deputy minister or Commissioner of Patents coming forward and giving a reason for renewing a patent, and there is an affidavit made stating so and so. These things should not come so often.

The motion was agreed to and the report was adopted.

The House was adjourned during pleasure.

BILLS ASSENTED TO.

Bill (4) An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

Bill (12) An Act respecting the Calgary and Edmonton Railway Company.—Hon. Mr. Talbot.

Bill (14) An Act respecting the Central Western Canada Railway Company.—Hon. Mr. Watson.

Bill (16) An Act respecting the Quebec, Montreal and Southern Railway Company.—Hon. Mr. Beique.

Bill (47) An Act to amend the Railway Act.—Hon. Mr. Lougheed.

On resuming.

BILLS INTRODUCED.

Bill No. 22, an Act to incorporate Edmonton and Southwestern Railway Company.—Hon. Mr. Talbot.

Bill No. 30, an Act to incorporate Seaport Trust Corporation.—Hon. Mr. Bostock.

Bill No. 36, an Act respecting Joliette and Lake Manuan Colonization Railway Company.—Hon. Mr. Belcourt.

HARVEY HUBBELL PATENT BILL.

Hon. Mr. BOSTOCK—Before the arrival of the Deputy Governor we had adopted the report of the Committee on Miscellaneous Private Bills on Bill (E), an Act respecting a certain patent of Harvey Hubbell, Incorporated. I now move that the Bill be read the third time.

Hon. Mr. MURPHY—Is that the Patent Bill?

Hon. Mr. BOSTOCK—Yes.

Hon. Mr. MURPHY—I object.

The third reading was postponed until Tuesday next.

The Senate adjourned until Tuesday, 14th inst., at 8 p.m.

THE SENATE.

Tuesday, March 14, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

ADULTERATION OF MAPLE SYRUP AND MAPLE SUGAR.

INQUIRY.

Hon. Mr. SPROULE inquired:

1. How many prosecutions were instituted against manufacturers and vendors of impure or adulterated maple syrup and maple sugar, of those whose names appear in Bulletin No. 325, Inland Revenue, as having violated the law?

2. Name and place of business of those reported against, as manufacturers or vendors of the impure or adulterated product?

Hon. Mr. LOUGHEED—The reply to question 1 is as follows:

Four were prosecuted as illegal articles (Bulletin No. 325 Maple Syrup). In the case of 42 samples which were adulterated under the Act, and reported in Bulletin No. 325, the Chief Analyst recommend that no departmental action be taken on account that the order for collection preceded the date (May 15, 1915), at which the standards for maple syrup became legally effective.

Bulletin No. 324, maple sugar, twenty-five.

The reply to question No. 2 is as follows:

MAPLE SYRUP.

Name.	Place of business.	Manufacturers or vendors.	Remarks.
H. A. E. Morin, 121 St. Catherine.	Maisonneuve..	A. Raymond & Co., furnisher.	Case pending.
L. Archambault, 2850 Masson Street, Mont La Salle.	Montreal.....	A. Raymond & Co., furnisher.	" "
Mont La Salle Cash Grocery, 2753 Boulevard Rosemont.	"	Unknown, furnisher.....	" "
C. H. Fournier, 1127 Mount Royal Avenue, East.	"	V. Rousseau, furnisher	" "

MAPLE SUGAR.

Name.	Place of business.	Manufacturers or vendors.	Remarks.
Bauld Bros., Limited, Halifax.	Halifax	Maples Limited, manufacturer.	Fined $25 and $10 costs.
S. Smith & Son	"	Maples Limited, manufacturer.	" " "
Coleman & Eisener	"	R. B. Seeton, furnisher	" " "
John D. McIver	New Glasgow, N.S.	B. D. Rogers, furnisher	Case pending.
J. W. Philips	St. John, N.B	Slocum & Ferris, furnisher	" "
J. A. Provencher	Matane, Que.		" "
N. Trudeau, 248 Dandurand Street.	Montreal, Que	Horne Food Co., furnisher	Mitigated penalty $10.
H. Pepin, Dandurand and 9th Street.	" "	National Produce Co., furnisher.	Fined $25 and $12 costs.
H. Robinson	St. Hyacinthe		Fined and costs $14.
E. E. Biron	Sherbrooke		Fined $25 and $9 costs.
P. G. Roy	St, John's, Que.		" " "
H. Brydge	Renfrew, Ont.	Ramsays Ltd., manufacturers	Case pending.
P. J. Frood	" "	Canada Maple Ex., manufacturers.	" "
L. Malette, Dalhousie Street.	Ottawa, Ont.	Maples Ltd., manufacturers	" "
W. D. Stephens	Port Hope, Ont.	H. P. Eckarett & Co., furnisher.	Fined $25 and $12 costs.
J. Cherpaw	Uxbridge, Ont.	John Sloan & Co., furnisher.	Fined and costs $36.70.
Willard & Co.	Port Perry, Ont.	F. W. Humphrey, furnisher.	" " $37.70.
J. S. Ireland	Mount Forest	Geo. E. Bristol & Co., furnisher.	Case pending.
A. Fedy	Mildmay	T. B. Escott, furnisher	" "
S. Bourgeman	Chisley	McCormick Mfg. Co., furnisher.	" "
B. H. Walsh	Oakville	Laing & Sons, furnisher	" "
W. R. Cole	Mitchell	Unknown	" "
W. H. Tricker	Sarnia	McCormick Mfg. Co., furnisher.	" "
Hardy & Buckanan	Winnipeg	Jas. A. Grubb, manufacturer	Fined $5.
Chalton & Teteau	Gull Lake	Paulin Chambers Co., manufacturers.	In way of prosecution.

ALIEN ENEMIES IN PUBLIC SERVICE OF CANADA AND CANADIANS IN PUBLIC SERVICE OF ENEMY COUNTRIES.

MOTION.

The notice of motion being called:

Hon. Mr. CLORAN:

Will move that an order of the Senate do issue:

1. For a return of the names, addresses and dispositions of all German, Austrian, Hungarian and other enemy race, by birth or extraction, holding positions in the Public Service of Canada.

2. Also the names, addresses and positions of all Canadian subjects, if any, who may be in the Public Service of Germany, Austria-Hungary or any other enemy country.

Hon. Mr. CLORAN—I have just read the Minutes of Proceedings of this honourable House and also the motion which stands in my name. I find there are lapses of grammar in the motion, such as "What are the dispositions of Germans in Canada." I never used the word "dispositions" in giving my notice. I asked what were the positions of Germans. In the second place, a more material and more serious matter was brought up by myself on the floor at the same time that I gave this notice, in the form of a question in regard to the escape of prisoners of war from the detention camp in Amherst, N.S. I find that that question does not appear in the Minutes of Proceedings of this honourable House. It is very strange that it has been omitted, but it is a lapse that can be remedied. I shall certainly take the opportunity of having that question placed on the Order Paper. It is a well known fact, not to the general public of the Dominion, but to the people living in the neighbourhood of the Amherst detention camp, that Germans have escaped, and what is more lamentable, were allowed and encouraged to escape, by the commanding officer in control of that camp. That is a very grave and serious condition of things, which I, with six or seven members in this honourable House, endeavoured to confront. The people in the locality know what is going on, and my desire is to have

that knowledge spread throughout the Dominion. Since bringing up the subject I have been in receipt of correspondence from several parts of the Dominion and the United States. One coming from the United States is signed "A friend of Canada." He tells me not to put all the blame on the guards. I did not put the blame on the guards, but this friend of Canada says there are others outside of the camp, citizens of New Brunswick, who are worse traitors, who are doing all they can to have the enemy evade the supervision of our military authorities. I am at liberty now to say that if the Minister of Militia, or of any department of the Government would like to have the names of the men who are parties to this betrayal of the interests of Canada and the Empire I shall give them. I am not at liberty at present to give the name to the public, but I shall certainly consider it my duty to give it to the authorities. For instance, a somewhat prominent citizen doing business in New Brunswick has, during the past several months, watched the shipment of war material from the Humphrey's Mill in New Brunswick to the Militia Department at Ottawa, and I am told has been communicating the information to the head Huns in St. John and Halifax. That same man is allowed to violate provincial law and kill game out of season, to violate the Federal law and fish out of season, and violate the provincial law by selling liquor illegally.

Hon. Mr. MURPHY—Does the hon. gentleman know that as a matter of fact? If he does he has a right to put the information before the House and state the man's name.

Hon. Mr. CLORAN—Do I know as a matter of fact that God exists?

Hon. Mr. MURPHY—That is not a pertinent answer to the question. The hon. gentleman made a positive statement.

Hon. Mr. CLORAN—I have made no positive statement.

Hon. Mr. MURPHY—Pardon me, the hon. gentleman said that a certain man, whose name was known, and whose headquarters were at Humphrey's Mills in the province of New Brunswick, had been supplying information to the headquarters of the Huns at St. John and Halifax. If the hon. gentleman knows that man's name he should mention it to the proper authorities and it will be up to them to arrest him.

Hon. Mr. CLORAN—I am not an informer.

Hon. Mr. MURPHY—You have a duty.

Hon. Mr. CLORAN—I say I shall give information to the proper authorities, but I do not think in the interest of justice and of liberty in Canada that I should give names now. I might frustrate investigation and allow that man to leave the country.

Hon. Mr. MURPHY—That is correct.

Hon. Mr. CLORAN—Do you understand that?

Hon. Mr. MURPHY—Yes.

Hon. Mr. CLORAN—Well, then, be satisfied. This citizen of influence, who evidently enjoys the protection of both Provincial and Federal Governments in his violations of the law, has a pedlar to help prisoners to escape. Does the hon. gentleman from Prince Edward Island want to know the name of the German Jew pedlar?

Hon. Mr. MURPHY—Yes.

Hon. Mr. CLORAN—Well, I can not give it because they have no names; they have a name for every village. Now, that is the state of things that has been going on in Canada, and I am sorry to say in that old staunch loyal province of Nova Scotia.

Hon. Mr. DENNIS—Not in Nova Scotia.

Hon. Mr. CLORAN—Yes, Amherst camp is in Nova Scotia. The traitors do not work right on the spot. They went outside for assitance, and I am sorry to say they got it in New Brunswick.

An hon. GENTLEMAN—Moncton?

Hon. Mr. CLORAN—No, Moncton has blow-outs. The country wants to know the facts from official sources, and it is up to the Government of the day to protect the public without regard to party. The statement has been broadly made, not by a newsboy in the street singing out his papers, but by hon. senators on the floor of this House, by ministers and ex-ministers of the Crown, that the officer responsible for this condition of things in the Amherst detention camp was shot by order of a court-martial held in Halifax.

Hon. Mr. DENNIS—Who made that statement?

Hon. Mr. CLORAN—Please do not pry into private affairs.

Hon. Mr. DENNIS—But the hon. gentleman says that that statement was made by a minister of the Crown on the floor of the House.

Hon. Mr. CLORAN—I did not say anything of the kind.

Hon. Mr. DENNIS—That is what I understood you to say.

Hon. Mr. CLORAN—Of course, I am not responsible for your understanding. The other statement is this, that instead of being shot the commanding officer of that camp was sentenced to 12 years in the penitentiary. Now, it was only when I heard these conflicting statements coming from men in high positions in this country that I took the trouble to look into this question. What I want to know and what the country wants to know is which of those statements is true. If neither is true, is the man still in command of that camp? I have recently learned that he is looking for promotion in the Militia Department. Now, there is the condition of things. What are the people to think of the Government of this country in safeguarding their rights, safeguarding the interests of humanity and of the Empire? That is the condition of things I want the Government to probe. It makes no difference to me personally whether the commanding officer is in his grave—although if he were guilty of that act he should be in his grave—or in a penitentiary, but the people of this country are anxious to know what the Government are doing in this matter. I have mentioned only one instance; I have others which I could state to this Parliament and put the Government on their guard. Prisoners of war, our bitter enemies, are not only allowed to escape, but can pay $50 or $100 for being allowed to escape from the detention camps in Canada. It is a national disgrace for which the Government must be held responsible. I shall have some other questions to put to the Government to-morrow in regard to this matter. New developments are arising every day. I am not blaming the Government as a whole, but if they do not take immediate and effective measures to protect the country against this crying evil, this outrage and this scandal, they shall and must come in for condemnation.

It is up to them to protect us who are sending our sons and daughters to the front, and to protect the interests of the Empire. If they cannot protect our interests within our own borders what is to become of Canada? How many Canadians can travel through Germany to-day free and unmolested? What opportunity would they have, if they were so inclined, to perpetrate crimes against civilization and humanity, such as German agents are perpetrating in this country? None. There is the force of the Kaiser and here is the weakness of the King. Germans can go into London, Montreal or Ottawa and fire our public buildings and destroy our munition plants. Only last evening two Germans with masks and a satchel passed the guard at a munitions plant which they were prepared to blow up. What two Canadians would attempt a feat of that kind in German or Austria territory? Not one. We are asleep, hon. gentlemen, we are in a sleepy hollow, and the Germans are getting the best of us, not only in the trenches at the front, but right here in Canada. It is up to the Government to protect us from a recurrence of these outrages. I ask how many Canadians are in the employ of the German Government. The Government does not need to answer. I can answer for them. —Not one. I ask for a return of the number of Germans in the employ of the Canadian Government. I cannot give the answer, because I have not the official record. Parliament should be told how many Germans, either by birth or extraction, are holding positions in the public service in Canada. The country is entitled to know that and must have the information. The situation is fraught with danger. We have enough to fight against on the battle front without having to protect ourselves individually against German raiders in Canada, especially in our own camps and under the control of our own officers of Canadian birth, and holding Canadian positions. I say it is time for the Government to take action in this matter and give the people proper protection in regard to alien enemies.

The motion was agreed to.

RECRUITING IN CANADA.

General the Hon. Mr. MASON—Before the Orders of the Day are proceeded with, I should like to bring before the House a matter which is of very great public interest at the present moment. I find I must leave for Toronto to-night and cannot return

for some days, and, therefore, with the leave of the House, I should like to draw attention to the importance and desirability of taking steps to find out the resources of Canada in men fit for service at the front during this great crisis of the British Empire, and who may be available for that purpose. The Government at the beginning of the year wisely and patriotically announced a call for 500,000 troops all-told, being an additional 250,000 men, and, in time, they will get them, but it only can be done by an organization of the country's resources in this connection. On February 15, 1916, I understand that over 249,000 men were enlisted for overseas service. According to the last census of Canada—that of 1911—the total male population between 20 and 44 years of age, inclusive, and of single or married condition was as follows:

——	Total males 20 to 44 inclusive.	Single.	Married.	Widowed.	Divorced.	Unknown.
Canadian born....	973,621	446,927	508,213	11,995	530	5,956
British born.....	285,308	147,858	132,019	2,570	138	2,723
Foreign born.....	278,652	139,549	133,182	1,836	203	3,882
Total.....	1,537,581	734,334	773,414	16,401	871	12,561

There has probably been an increase in these figures of eight per cent during the past five years, but estimates are not very reliable in such a case. According to information received, unofficial, but I believe reliable, out of the 31 battalions and other units first raised and chiefly in the First Contingent totalling 42,195 officers and men —only 12,498 were native-born Canadians. Succeeding contingents have done no better as the proportion has not run higher than thirty per cent—almost the total remaining seventy per cent being British-born. There are now, in round figures, probably 1,000,000 men of British or Canadian birth who by reason of their age are available for service, but some organized steps should be taken, I submit, as in the United Kingdom, Australia and New Zealand to find out how the country stands in relation to these men—who of them may be willing, and who are not free—for some one or more of the many reasons which may properly exist.

To raise a second 250,000 men cannot possibly be as easy as recruiting the first 250,000. Moreover, this large number, if and when sent to the front, must be maintained, and it has been estimated that the casualties will not be less than five per cent monthly of the total force. This means that we shall have to provide each month, to maintain our army's strength, at least 25,000 new men—or 300,000 in a year. There can be no question that the additional 250,000 to bring our quota up to 500,000, and the 300,000, if required, annually to keep it at that figure, will not be obtained under the present system of enlistment, so that we must, therefore, introduce some other method. I doubt if we could do better than try as a preliminary what has been so successfully acomplished in England under the registration system. When it was found there that the requisite total of enlistments could not be obtained a Bill was introduced into the House of Commons by the Right Hon. Walter H. Long, called the "National Registration Bill," on June 29, 1915. Mr. Long stated that its object was to obtain "complete, general and satisfactory organization," and explained:

> This Bill is intended to provide the machinery which will give the organization without which we cannot secure what we all want—the maximum of output with the minimum of cost. The present system is of a somewhat haphazard kind. The proposal in the Bill is that there shall be a compulsory registration of the people in this country, male and female, between the ages of 15 and 65. That registration will not be a central one. It is essentially a local registration. Its results will be available not only to our larger local authorities, but to our central authorities. In the forms which will be issued to everybody particulars will be asked for as to age and employment, and each person will be asked to state whether he or she will be prepared to volunteer for any form of labour with which he or she is especially acquainted other than that in which he or she is engaged. Each will receive a certificate stating that he or she has been registered, and I hope and believe that certificate will be regarded as a badge of honour. This registration will be under the control of the Local Government Board, but it will be conducted by the borough and urban and rural authorities throughout the country

with the advice and assistance and under the control of the Registrar-General, as in the case of the census. The cost will be borne by a contribution from the exchequer and there are guarded penalties in case of non-fulfilment of obligations.

This measure became law and proved generally acceptable, though the results have not been made public. It was not military in its nature or coercive in that connection, yet it afforded an excellent basis for an improved recruiting system which brought Kitchener's army up to at least 2,000,000. More, however, was needed, the call for men was insistent, the need was obvious if victory over a resourceful and powerful enemy was to be attained. His Majesty the King made that historic appeal to the nation and Empire, which still rings through British countries everywhere and which I should like to place on record in this House:

To my people: At this grave moment in the struggle between my people and a highly organized enemy, who has transgressed the laws of nations and changed the ordinances that bind civilized Europe together, I appeal to you.

I rejoice in my Empire's efforts and I feel pride in the voluntary response from my subjects all over the world who have sacrificed home and fortune and life itself in order that another may not inherit the free Empire which their ancestors and mine have built. I ask you to make good these sacrifices.

The end is not in sight. More men, and yet more are wanted to keep my armies in the field, and, through them, to secure victory and an enduring peace. In ancient days the darkest moment has ever produced in men of our race the sternest resolve. I ask you, men of all classes, to come forward voluntarily and take your share in these fights.

In freely responding to my appeal you will be giving your support to our brothers who for long months have nobly upheld Great Britain's past traditions and the glory of her arms.

The Earl of Derby was appointed Director General of Recruiting in October 1915, and he appealed by letter—through the facilities given by registration—to every man of military age in the kingdom who had not yet enlisted and was not engaged in munition or other national work, asking him to make the voluntary system successful by doing his "bit"; asking him to help in the time of his country's peril. With the aid of the National Registration a tremendous recruiting campaign was inaugurated, with the following lines of action and bases for enlistment:

Every existing recruiting body will be made use of in the scheme, which will be carried out by the aid of the national register.

Everybody who recognizes that the state has a right to call on his services should enlist, and those found to be fit will be attested there and then.

Those who wish to join the colours at once will be allowed to do so; the rest will go on with their usual vocations and will be subject to be called up only when required.

Men who have enlisted will be divided into 46 groups, the unmarried men in the first 23 groups according to age, and the married also in 23 groups according to age, and beginning when the unmarried groups are exhausted.

These men will be called out in successive groups as required, a fortnight's notice being given to each before he joins. Appeals may be made to be put in a later group; men thus allowed on leave will draw no military pay.

If every man liable to be called on will join, it is hoped that it will be many months before the older married men are called on at all; it may even be that the war will be decided before it is necessary.

Pay and allowances at the rate of three shillings a day will be granted to men who are prepared to join at once but are allowed to go to their homes after being attested. They will be subject to 24 hours' notice before being called up.

"Starred" men who enlist will be attested, to be called on if wanted, but will be sent back at once to their employment. Unstarred men found to be indispensible in their employments may also be sent back.

It may be found that even in "Starred" trades there are portions in which men can be liberated from their employment.

All men will be enlisted for general service, and no promise can be made to allot them to any particular branch. Preference for the Army Service Corps and the Royal Army Service Corps will be given to married men.

At the same time the Prime Minister stated that if the single men did not do their duty voluntarily some form of compulsion would be put in force before the married men pledged under the new system were called up. I may explain that "starred" men were those whom the authorities considered necessary to specific industries or lines of labour or national service of any kind. Lord Derby stated, in his report published January 14th, 1916, that the results of a campaign lasting over seven weeks had been as follows;

——	Single.	Married.	Total.
Men of military age (a).....	2,179,231	2,832,210	5,011,441
Number of men enlisted (b).....	103,000	112,431	215,431
Number of men attested (c)..	840,000	1,344,979	2,184,979
Number of men rejected (b).....	207,000	221,853	428,853
	1,150,000	1,679,263	2,829,263
	1,029,231	1,152,947	2,182,178

(a) Men who joined His Majesty's Army between August 15, 1915 and October 23, 1915, are excluded from these figures.

(b) Whilst total is based on actual records, the distribution as between single and married is only an estimate, but may be taken as substantially accurate.

(c) Actual records.

Grand total of military age..	5,011,441
Total attested, enlisted and rejected..	2,829,263
	2,182,178

Of the 2,179,231 single men available, only 1,150,000 have been accounted for, leaving a residue unaccounted for of 1,029,231. Deducting the number of starred single men who have attested, 312,067, from total number of starred single men, 690,138, leaves 378,071 starred men. Deducting this figure from 1,029,231 (the remainder of single men left who have not offered themselves), it shows a total of 651,160 unstarred single men unaccounted for; therefore, the Premier's pledge held good and a limited compulsory law was passed. Meantime in Australia and New Zealand similar action had been taken.

Hon. Mr. CHOQUETTE—Allow me to put a question. I should like to know if my hon. friend has consulted the Government about this new scheme of recruiting.

Several hon. GENTLEMEN—Order, order.

Hon. Mr. CHOQUETTE—I have a right to put the question. Or is it an answer to the speech of Baron Shaughnessy, of Montreal?

Hon. Mr. MASON—I was about to state the result of Lord Derby's recruiting scheme.

In New Zealand the Act, which passed in September 1915, ordered the registration of all men between the ages of 17 and 60 years with full particulars of status, occupation, physical condition, military experience, and number of dependents. Every man between the ages of 19 and 45 was to answer among others the following questions regarding military service:

(1) Whether he had volunteered for service in any expeditionary force during the present war; and, if so, whether he had been accepted or rejected.

(2) If he had not volunteered for service, whether he was willing to become a member of an expeditionary force.

(3) If he had not so volunteered or was not prepared to volunteer "whether he is willing to serve in any other capacity in connection with the present war."

A subsequent clause provided that "for the purpose of ascertaining the fitness for active military service of persons to whom the foregoing provisions of this Act relate, any such person may be required to submit himself for inspection by a registered medical practitioner to be appointed for the purpose." Penalties of fine or imprisonment were imposed in the Act for giving false information and secrecy was provided for. The returns eventually showed 109,183 men of military age. It will be noted that this Registration Act was purely military in purpose and effect. I might add that in both these Dominions and also in South Africa a system of compulsory training exists and was just getting into preliminary working order when the war came.

Now I want to say a word as to the situation here. The total male population of Canada between the ages of 18 and 45, by the census of 1911, was 1,653,646. For the purpose of the statement I am now making I shall classify them according to their places of birth; but I can only get accurate information on this point of the ages between 20 and 44 inclusive—this makes a difference of a litle over 100,000 in the grand totals, but as the proportions would not vary much, the figures I give can be accepted. I am putting the married and single together, and include the widowed, divorced and unknown, but this does not matter as the number is small:

	Census Totals.	Enlisted.	Percentage.	Not enlisted.
Canadian born	973,621	73,935	Less than 30	899,696
British born	285,858	156,637	63	129,221
Foreign born	278,652	18,899	Less than 8	259,753

As 250,000 more men are now required the question naturally arises "where are they to come from?" Certainly not from the British or foreign-born, but from the native-born Canadians who, as a class, have not yet shown a disposition to do their full duty.

There surely is no lack of courage in our young men; and if they saw their duty I trust they would do it as quickly as the men of Britain. They would not have it said that in a war where the existence of the British Empire, the very life of the birthplace of their race, the homes of their ancestors, were all at stake, they would shirk an obligation once understood. According to the figures collected by Mr. N. W. Rowell, the Ontario Liberal leader, which I have reason to believe are correct, Great Britain had an estimated 8 per cent of its population under arms towards the close of the year 1915, South Africa 5½ per cent; New Zealand 4.15 per cent; Australia 3.57 per cent; Canada 2.37 per cent. There are now left over 1,000,000 men of military age in Canada of British or Canadian birth; surely they do not understand the issue or they would come forward and help.

Those who have gone to the front understand. I am permitted to read an extract from a letter written by a Canadian private to his business manager in Toronto, which illustrates this:

> "If you pray for us at all, don't pray so much that we will come back as that we will do our duty bravely, and that we never fail our country or comrades no matter what the odds. In my mind, death with the knowledge of a duty well done is better than a long life with the recollections that a comrade or cause was lost owing to lack of courage or resourcefulness on my part. With God's help I intend to do my bit."

I have said much as to the men who have not volunteered; let me pay an earnest tribute to those who have done so. They are brave men and true; perhaps more courageous than the troops in other wars because they know more as to the stern realities to be faced. War seems and is more terrible than it used to be; yet there is a good side in the increased proportion of wounded—at least one-half who entirely recover. As a matter of statistics it does not appear that fatalities are any greater in proportion than they were in, say, the United States Civil War. Canadians honour their soldiers; they have shown their appreciation of them in generous aid to Patriotic and Red Cross Funds; they will welcome them back with enthusiasm and respect; they will help in the further work of life during the long days of peace. All honour to the men who have gone to the front.

The necessity for this registration or stock-taking is becoming more evident every day. Lord Shaughnessy's speech at Montreal the other day does not seem to me an argument against recruiting; it is rather a plea for organized recruiting based upon authoritative knowledge of industries occupations and men available. If the agricultural financial and industrial conditions are disturbed by present methods it is surely an additional argument for systematized action and this can only be done by accepting the course followed in Britain, New Zealand and Australia. That some change is imperative appears clear. The Hon. G. H. Ferguson of the Ontario Government is calling for 15,000 young farm workers from the high schools and collegiates of Ontario. The Toronto Star of March 4 declared it to be "well-known that under the present indiscriminate methods of recruiting—to which officers receiving no official assistance from the state are restricted—large numbers who ought to enlist are not doing so. The army is not getting the men it needs, yet in many instances, in Toronto and no doubt elsewhere, employers are losing the very men they cannot get along without." I recently learned that fully twenty-five per cent of the miners of the Dominion Coal Company have enlisted, resulting in a serious shortage of coal for railway and other consumption.

Brig.-General E. W. Wilson of the 4th Division stated at Montreal on March 4, according to a despatch in the Toronto World, that "Some form of compulsion will be necessary in Montreal if recruiting does not take a turn for the better soon. There

are thousands of young men in the city of Montreal who are not doing their duty." The Rev. Father Minehan of Toronto, in a recent press letter, strongly urged such a national inventory of resources as I am suggesting: "Should not a stock-taking of our resources, military and industrial, be organized immediately (it should have been done long ago)? Spring is approaching, and the work done within the next three months in our fields will be second in importance only to the work done in the fields of Flanders. Our industrial army is second in importance (and hardly second) to that in khaki. What is being done to recruit this industrial army?"

General Wilson is not alone in thinking that unless some change occurs compulsion will be necessary, nor is Lord Shaughnessy alone in thinking, as I read his speech, that organization of forces is imperative. The Toronto and Hamilton Recruiting Leagues have declared for modified conscription; so has that of Stratford and Perth. So experienced an officer as Col. G. T. Dension declares that compulsion will have to come if the voluntary effort fails. That the necessity for 500,000 Canadians exists surely is obvious. British troops are fighting in Flanders and France, in Persia and Mesopotamia, in Egypt and British East Africa, with a large army awaiting action at Salonika—this all exclusive of the forces composing our navy, including reserves some 200,000. All the groups of married men under Lord Derby's scheme are being called up in Britain one after the other, and a despatch from London on March 9 states that "the proclamation will be issued next week calling to the colours married men between the ages of 27 and 35."

In a despatch from London published in the Ottawa Citizen of to-day I find the following:

> As far as possible the exemptions of those claiming to hold positions of considerable responsibility will be limited to married men over thirty years of age, younger unmarried men to be retained on the reserved list only in those occupations which are vital to the conduct of the war. Industries concerned in the manufacture of luxuries, such as tobacco, silk and lace, have been eliminated from the reserved list.

And in a despatch which appeared in the Toronto Telegram of yesterday, we are told that

> In case where it is found impossible to remove occupations altogether from the starred list, men under 30 years will be replaced by women or older men.

Single men now are under conscription there and are being steadily brought under training.

In Britain the voluntary system has produced from five to six million men who at least are willing to serve: in South Africa, with a population of mixed races and a majority of one with which we were at war fifteen years ago, over 100,000 men have been obtained: in New Zealand, with 1,000,000 population, 40,000 men are in arms and over 100,000 have offered: in Australia, according to the recent statement here in Ottawa of the Prime Minister, the Hon. Mr. Hughes, Australia had by February 1st, 1916, sent 145,000 men to the front and enlisted 240,000, out of a population of at least 2,000,000 less than ours. Surely we can do at least as well proportionately, and do so in an organized, effective way.

All the more is registration necessary in view of the fact that large numbers of our young men are said to be leaving the country to evade military duty. Australia now has the following regulation:

> No male British subject whose age exceeds seventeen years and does not exceed forty-five years shall leave, or attempt to leave, the Commonwealth unless a passport has been issued to him by the Department of External Affairs. Any person authorized for the purpose by the competent naval or military authority, or any police constable or officer of Customs, may arrest without warrant any person who attempts to leave the Commonwealth in contravention of this regulation.

This would have a double effect here—it would keep in the country those required for military service, and also those needed for industrial work.

Surely our young men must soon begin to see that if Great Britain goes under in this vast war, we go too: that Britain's navy is the only safeguard of our commerce and our shores and has been so for a hundred years: that British money and financial interests are at the base of all our progress and that if they go our prosperity goes with a rush: that common gratitude, aside altogether from ties of union and allegiance to a common throne, bind us to do our uttermost in this struggle for and with a nation which has nursed our infancy, guarded our childhood and protected our manhood; that if those long, thin lines in France were once smashed, the German guns on the coast could soon command the coast of England, and that one of the first demands of a victorious enemy would be the fields and mines of Canada. The Canadian-born man is called for service by his King, by the Motherland of his race, by the

altars of his forefathers, by the home country in which he lives, by his duty to his family, by the obligations of a Christian civilization—yes, even by the self-interest which is so attractive in a commercial age, and by every sense of manliness and duty. Let us have a register which will show where he stands and why.

Should the exigencies of the war make the depletion of men in the more important industries—and in transportation and financial institutions, etc.—more distinct, and render aid from the women of our country necessary, I am convinced that they would rise to the occasion. In Great Britain 500,000 women are engaged in the making of munitions and in other work involving drudgery and discomfort, in order to release the men for service and many of these women have hitherto hardly known what work meant. It would be in Canada as it is in England, only one more illustration of the self-sacrificing spirit for which women are noted when necessity calls.

Hon. Mr. CHOQUETTE—I do not know whether this matter could be brought before the House as a question of privilege, but I am quite willing, as I am sure every member of this House is, to permit this debate now, considering it a speech made on a motion for the production of documents, and, therefore, regular under the circumstances. I should like very much to look over the remarks of my hon. friend, as he has not thought fit to reply to my question, and I have a right to ask that this debate be adjourned in order that I may have an opportunity to speak on the subject.

The SPEAKER—I would ask the hon. gentleman if he has any intention to follow his speech by a motion for the production of papers or something of the kind?

General the Hon. Mr. MASON—No.

The SPEAKER—It was very irregular to take up the time of the House without a motion. That cannot be debated.

Hon. Mr. CHOQUETTE—I have no objection that a debate should take place, but there should be a motion of some kind.

The SPEAKER—A debate cannot take place without something before the Chair.

Hon. Mr. CHOQUETTE—There is a speech before the Chair, and I move the adjournment of the debate. We have accepted it as a matter before the House.

Hon. Mr. BEIQUE—As a lecture.

Hon. Mr. CHOQUETTE—As a lecture. After I look at it I want to consider whether it is worth answering. I think that is the only way to bring the matter to a head.

General the Hon. Mr. MASON—In my opening remarks I said that it was my desire to bring to the notice of the House a very important public matter—recruiting. The House can take such action as they desire on the remarks that I have made.

Hon. Mr. CLORAN—Yes, but there is no room for action.

Hon. Mr. CHOQUETTE—Yes.

Hon. Mr. CLORAN—If I can possibly suggest a means whereby this subject shall not be dropped I shall do so. The Senate can resolve to have it placed on its records as a motion, with the right to debate its contents. I am simply trying to find a means whereby the subject that has been so elaborately put before the House can be debated later on. If the discussion stops now without any further action it drops, and the views of the hon. member go on the records of the Senate as the views of the Senate.

Hon. Mr. CHOQUETTE—No.

Hon. Mr. CLORAN—Well, that would be the effect of allowing it to go on record without being debated. Now what I am proposing is this—

The SPEAKER—I would draw the attention of the hon. gentleman to the fact that he should wind up his speech with a motion himself.

Hon. Mr. CLORAN—I move that the lecture given by the hon. senator from Toronto be taken into consideration to-morrow.

Hon. Mr. CHOQUETTE—Hear, hear. I take that as being a motion before the House. The House gave the hon. member permission to make his speech without notice. Having done so, a debate is there, and I move the adjournment of the debate till the next sitting of the House.

Hon. Mr. SPROULE—That would scarcely be regular, because there is nothing before the Senate. With the indulgence of the Senate, the hon. gentleman was permitted to read his paper in view of the fact that he was obliged to go away to-night and would not have an opportunity to do so in the near future; but if the rules of this House

are the same as in the other Chamber, his speech could not be printed in the Debates, because it is not regularly before the House. If it had been followed by a motion to the effect intimated by the hon. member across the House (Hon. Mr. Cloran) it would be in order. The paper appears to be a valuable one, coming as it does from a man of high military attainments, who has given evidence of that throughout his whole life. Nevertheless, it would be rather inconvenient to publish it in the Debates, because undoubtedly others in future would be likely to cite it as a precedent for similar liberties.

Hon. Mr. LOUGHEED—The hon. gentleman from Toronto asked leave of the House to direct attention to an important subject. No one objected. Consequently, it is properly before the House, and must necessarily appear in the Debates. If any hon. gentleman wishes to continue the debate, or to make observations upon this particular subject, I presume the House will permit him to do so. If he is not prepared to proceed to-night, he can ask leave to proceed to-morrow.

The SPEAKER—I think the matter is in an irregular shape. The hon. gentleman may make a motion himself.

Hon. Mr. MURPHY—That is the easiest way out of it. If the hon. gentleman will make a motion for the production of papers giving the military age of the inhabitants of Canada, that will solve the difficulty.

The SPEAKER—Then it is moved by General the Hon. Mr. Mason, seconded by the Hon. Mr. Daniel, that an order of this House do issue for a return of the number of men of military age recruited up to the first day of March.

The Motion was agreed to.

Hon. Mr. CHOQUETTE moved that the debate be adjourned until to-morrow.

The motion was agreed to.

OWEN PATENT ACT.

SECOND READING POSTPONED.

Hon. Mr. TAYLOR moved the second reading of Bill 19, an Act respecting the patent of James W. Owen.

He said: This is a patent applied for by James W. Owen, of Pennsylvania, who has secured a patent in several states in the United States.

Hon. Mr. SPROULE.

Hon. Mr. CLORAN—Can he not get his patent straight from the department without coming to Parliament for it?

Hon. Mr. TAYLOR—He should have applied inside of a year, but two months have overlapsed, and he makes provision in the Bill that if any person has commenced to manufacture his right shall be protected.

Hon. Mr. CLORAN—I know that provision off by heart. He had a year to apply for a patent in Canada and is two months over that time.

Hon. Mr. TAYLOR—Yes.

Hon. Mr. CLORAN—And he has taken a patent out in one of the United States.

Hon. Mr. TAYLOR—In several countries.

Hon. Mr. CLORAN—Is there anything in the patent law which forces a man who has taken out a patent in a foreign country to apply for a patent in Canada within a year?

Hon. Mr. TAYLOR—Not that I know of.

Hon. Mr. BOSTOCK—It is in the Patent Act.

Hon. Mr. CLORAN—If there is a provision in the Patent Act which compels an inventor to take out a patent in Canada within a year after obtaining the patent elsewhere, then he has to come to Parliament if he fails to take action within the year.

Hon. Mr. TAYLOR—I move that the order of the day be discharged and placed on the Orders of the Day for to-morrow.

The motion was agreed to, and the order of the day was discharged accordingly.

BILLS INTRODUCED.

Bill 6, an Act to confirm certain agreements made between the Canadian Northern Ontario Railway Company, the Canadian Northern Railway Company, and the Canadian Pacific Railway Company.—Hon. Mr. Watson.

Bill 37, an Act to amend the White Phosphorus Matches Act.—Hon. Mr. Lougheed.

Bill 55, an Act to amend the Winding Up Act.—Hon. Mr. Lougheed.

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

THE SENATE.

Wednesday, March 15, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (V), An Act for the relief of Clarice Smith.—Hon. Mr. Derbyshire.

SENATORS WITH TITLES.

NOTICE DROPPED.

The Notice of Inquiry being called:

By Hon. Mr. MURPHY:

That he will move:
That this House desires to know why the titles of all the colonels and others with titles do not appear in the Journals of the House except in two individual instances.

Hon. Mr. MURPHY—This is not a very serious matter, and attention having been called to the anomaly, I ask that this notice be dropped.

Hon. Mr. DOMVILLE—The hon. gentleman should not trifle with the feelings of the colonels of this country. When in uniform they look very well on parade. I should like to ascertain what the hon. gentleman means. I have not had any rank lately myself, but that is not my fault. A man who has served the country as long as I have finds his best recompense in the consciousness of having done his duty. The hon. gentleman should not delay this inquiry. There are lots of colonels around here, and I am sure that they would like to have him proceed with his inquiry.

The SPEAKER—Dropped.

Hon. Mr. DOMVILLE—Have you dropped it?

Hon. Mr. MURPHY—Yes.

Hon. Mr. DOMVILLE—Well, well, well!

ESCAPE OF PRISONERS FROM DETENTION CAMPS.

Hon. Mr. CLORAN—I have an inquiry which I wish to put to the Government in reference to the escape of alien enemy prisoners from the detention camp situated at Amherst, N.S. I give notice that I will move:

That an order of the Senate do issue:
For all papers, documents and evidence in connection with the escape of alien enemy prisoners from the detention camp situated at Amherst, N.S., and the recapture of some of the said prisoners; also the evidence taken at the investigation by the civil or local authorities regarding this escape and which was transmitted to the military authorities at Halifax.

Also the papers, documents and evidence produced at the military court martial held in Halifax, with the court's findings and sentences regarding the officers responsible for the said escape.

I have this to say with reference to the matter—

The SPEAKER—This is a notice of motion.

Hon. Mr. CLORAN—I gave notice two weeks ago.

The SPEAKER—No speech is allowed on a notice of motion.

Hon. Mr. CLORAN—I am asking the Speaker to grant me the privilege of speaking now; if he does not accord it I shall ask the House.

The SPEAKER—I have no power to grant it.

Hon. Mr. CLORAN—Then I ask the House to allow me to speak on this matter. Two weeks ago I put this notice before the House, but it was suppressed—eliminated from the records. Is not that a matter for the House to decide, whether the request be made by Cloran, or Hon. Mr. Lougheed, or Sir Mackenzie Bowell? This is a question of privilege.

Hon. GENTLEMEN—Order, order.

The SPEAKER—If the hon. gentleman will look at page—

Hon. Mr. CLORAN—I know, I know.

The SPEAKER—If he will look at page 181 of the Minutes of Proceedings, he will see that he made his motion and an order was issued, and he should wait until he gets the papers for which he has called.

Hon. Mr. CLORAN—I know that as well as the Speaker. I am not looking for antiquated documents. I gave notice of this, and when I looked at the records it was not there. Now that is a point for the Speaker to decide. I was prepared to go on with the motion last night but found myself blocked, as the notice of motion did not appear among the orders of the day. That motion has been through the press of the entire country, here and elsewhere, but it was not on the Order Paper of yesterday.

The SPEAKER—On March 2, the motion alluded to by the hon. gentleman was on the Order Paper; he made his motion and it was carried.

Hon. Mr. CLORAN—And it did not appear on the Order Paper of yesterday.

The SPEAKER—No, it could not, because it had been carried. When a motion is carried it does not appear on the Order Paper again.

Hon. Mr. CLORAN—I wish to ask the Government if they are prepared to bring down these papers? Why do they not do it? The country wants this information.

Hon. Mr. LOUGHEED—We propose doing it.

Hon. Mr. CLORAN—Before prorogation or after?

Hon. Sir MACKENZIE BOWELL—After.

Hon. Mr. CLORAN—I want to keep the Government awake. Then I have another motion—

Hon. Mr. GIRROIR—Before the discussion terminates on the motion of the hon. gentleman from Victoria, I wish to say that I feel it my duty to disclose certain information which I have received in connection with—

Hon. Mr. CLORAN—Is the hon. member in order?

Hon. Mr. GIRROIR—I am asking the House a question.

Hon. Mr. DOMVILLE—Give notice.

Hon. Mr. GIRROIR—I am asking the House for permission.

Hon. Mr. CLORAN—I could not get it and the hon. gentleman cannot get it.

Hon. Mr. GIRROIR—The hon. gentleman does not understand what I want until I explain.

Hon. Mr. CLORAN—That is just my position; they do not know what I wanted. What is good for fish is good for flesh. I ask the ruling of the Speaker.

Hon. Mr. GIRROIR—There is nothing to rule on until I have stated my case.

Hon. Mr. CLORAN—I object. On what is the hon. gentleman going to make an explanation?

The SPEAKER—I presume the hon. gentleman objects to what is going on now because he has done this same thing himself.

Hon. Mr. CLORAN—Then I will have the right to reply.

The SPEAKER—There is no motion before the House. If the hon. gentleman wants to make a personal explanation he should wait until we come to the Orders of the Day.

Hon. Mr. GIRROIR—I will wait.

Hon. Mr. CLORAN—It is a nice thing to be choked off. I desire to give notice that I shall move for the return of all papers and documents dealing with the escape and liberation of alien enemy prisoners from the detention camp situated at Banff in the province of Alberta. I guess the hon. leader of the Senate will know all about that.

The SPEAKER—I think that motion has already been made.

Hon. Mr. CLORAN—No no, don't be too previous, please. This is a new motion affecting the district in which the hon. leader in this House lives. It is far away from Amherst. It is up in Banff, one of the most popular places in the country.

The SPEAKER—I call the hon. gentleman to order. He has no right to go on with his speech.

Hon. Mr. CLORAN—The hon. Speaker has no right to tell me—

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—Anyhow I present the motion, and I will read it again, notwithstanding the fact that the Speaker says it was before the House on a previous occasion.

The SPEAKER—If the hon. gentleman does not take his seat I shall bring him to order in the proper way.

Hon. Mr. CLORAN—I want to read the notice of motion.

The SPEAKER—It has been read.

Hon. Mr. CLORAN—That is all I want. I do not want to be snuffed out.

PROMOTION OF AGRICULTURAL, INDUSTRIAL AND TRADE INTERESTS.

MOTION.

Hon. Mr. BEIQUE moved:

(1) That a committee composed of nine members of this House be appointed to inquire alone

or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war; such committee to be composed of the following members: Hon. Senators Lougheed, Bolduc, Ross (Middleton), Taylor, Bostock, Dandurand, Ross (Moosejaw), and the mover and seconder (Edwards), and to report from time to time to this House; and (2) that a message be sent to the House of Commons inviting that House to appoint a like committee to act jointly with the committee appointed by this House.

He said: I am glad that the consideration of this motion has been deferred until now, because what has passed lately in England illustrates the importance of the subject.

I should like to consider with you for a few minutes the present condition of the country, what we may expect of its future, especially at the end of the war, and what should be done in the meantime. Agriculture throughout the Dominion is unquestionably in a sound condition and full of promise for the future. The impetus given by the abundant crop of 1915 and the high prices obtained for all kinds of produce will, no doubt, help considerably future development in that line. Immigration so essential to the development of the West has been practically null for the last two years. Our industry, a year ago almost entirely paralysed, is presently active and highly remunerative, but mainly in new and temporary fields, the manufacture of munitions of war.

The large crop to which I have referred, the high prices which our farmers have been able to command, and the manufacture of munitions of war, supplies and equipment for Great Britain and its Allies have changed a heavy balance of trade against us, into a balance of some two hundred million dollars in our favour this last year. It is a very big change which would deserve high congratulations if we could depend upon its being of a permanent character. Unfortunately, we cannot hope to see the balance of trade permanently changed in our favour until the natural resources of the country have been much further developed and the population proportionately increased.

So far, by reason of the war, an accumulation of individual wealth is taking place, but on the other hand a frightful increase is being made in the public debt, and which, from the use made of the money, necessarily constitutes a waste of capital.

Our financial and industrial conditions are abnormal and will require prompt and radical readjustment at the end of the war. The period following the signing of the peace may be for us a period of prosperity or a period of great depression, as we shall prepare, or fail to prepare, for it.

The process of readjustment must be gradual and prepared ahead of the time when it shall be required, otherwise the country may be overtaken by a crisis which would delay readjustment indefinitely.

The war may yet be long, or it may be short; in either case we have no time to lose. If the war is long the more necessary will it be to increase the resources of the country so that it may bear its share of the additional expense and continue to sustain the effort required. If, on the contrary, the war should soon come to an end, a large source of employment of labour and of profits will have ceased and unless new avenues are created instead of being in a position to offer inducements to immigrants our own population may be partly unoccupied.

Let us take example from England and France. In both countries they have been alive, almost from the beginning of the war, to all that may be required of them in order that recuperation may be as prompt as possible after the war.

In France especially, where the efforts of the whole nation are required and directed at repelling the invasion of the territory by the enemy, commissions are at work preparing for the time of peace, and deputations have been sent to the United States with the view of preparing for the creation of new commercial relations between the two countries.

I am referring here to the Domaur deputation, some members of which have lately visited Montreal and Toronto for the same purpose.

We have in this country an incomparable field for action, whether it be in our eastern provinces, where returns from agriculture might be tripled and quadrupled if only intensive farming and better and more modern methods were adopted and generally practised; or in our western provinces, where hundreds of millions of acres of the finest wheat lands in the world are awaiting occupation. I said a moment ago that I was glad this motion had been referred because of what is taking place in England. You have no doubt seen that on the 29th February there was a very important meeting held in the city of London. In a

despatch, part of which I shall read, it was stated:

Trade after the war was discussed by a notable gathering to-day of the representatives of all the great commercial organizations of the country forming the British Association of Chambers of Commerce. Upwards of 1,000 delegates were present, including the chief figures in all the lay industries.

The main interest of the gathering centered on a change in Great Britain's present tariff system allowing practically free admission of foreign imports, owing to the prevailing belief that Great Britain's free markets have been one of the chief sources of the building up of German industry.

The Government's interest in the meeting was shown by the attendance of the Chancellor of the Exchequer, Reginald McKenna, who has charge of the framing of the tariff schedules. He addressed the executive committee declaring that the Government was not committed to adhering to the old economic policies, which the experience of the war had shown must be readjusted to the new conditions.

Representatives of Canada, Australia and other colonies, and the commercial attache of the American embassy were present.

Several important resolutions were adopted after an extended debate, two of them reflecting overwhelmingly the sentiment for an entire readjustment of the British economic and trade policy. The first resolution, unanimously adopted, declares:

"The experience of the war has shown that the strength and safety of the British nation in time of national peril lie in the possession by this nation of the power to produce its requirements from its own soil and its own factories, rather than in the possession of values which may be exported and exchanged for products and manufactures of foreign countries."

Another resolution, for reciprocal trading relations and tariffs, developed some opposition from the adherents of the traditional free-trade policy, but finally prevailed with practical unanimity. It provides, "first, for preferential trading relation between all British countries; second, for reciprocal trading relations between the British Empire and allied countries; third, for favourable treatment of neutral countries; fourth, for restriction by tariffs and otherwise on all trade relations with enemy countries, so as to make it impossible to return to pre-war conditions."

Other resolutions adopted provided for the Government's immediately consulting with Canada, Australia and other colonies on the problems arising as the result of the war, particularly with reference to a reciprocity agreement and the regulation of future trade relations with Germany and Austria.

Every one of us can remember the opening up of the western provinces. It is but a few years since those provinces were opened up, and it is wonderful to see what has been accomplished in that short period. I have here one of the last reports of the census, which shows that the young province of Saskatchewan is to-day ahead of all the provinces of Canada as far as the field crops are concerned. The January issue of the Field Crop Statistics gives the following figures:

Saskatchewan	$224,875,000
Ontario	207,043,000
Manitoba	119,447,000
Quebec	104,683,000
Alberta	79,409,000
New Brunswick	20,096,000
Nova Scotia	19,556,000
British Columbia	11,625,000
P. E. Island	10,932,000

And the whole field crop amounted to some $800,000,000, or to be more exact, $779,669,000.

Hon. Mr. EDWARDS—That just includes field crops and not all farm products?

Hon. Mr. BEIQUE—Only the field crops. I give these figures in order to emphasize the possibilities of this country. We have the raw material for home consumption and exports in a great number of different lines. We have also the coal, oil and water-powers with which we can reduce the cost of the products. All these conditions, if properly marshalled and advertised, cannot fail to draw large immigration to this country from Europe and the United States and secure the rapid development and prosperity of this country. I hear an expression of fear very often because we may not be able to attract as much capital from Europe as we commanded in the past. I am reassured in that respect when I see the accumulation of capital which has taken place in the United States where the balance of trade has been steadily rising from $600,000,000 to some $2,000,000,000 last year. With that accumulation of capital in the United States, we need have no apprehension, if we adopt the proper method, that we shall be able to get all the money we require for the development of this country; the more so because this large capital is considerably unoccupied on account of the condition of legislation in that country. If we adopt a proper method, a large portion of that capital will be only too glad to find profitable employment in this country.

The Montreal Daily Star is at present carrying on a campaign under the heading: "Population of Canada 12,000,000 to 15,000,000 in 3 years after the war" on a front page of the paper. The heading may be too sanguine and exaggerated, but it cannot be denied that the campaign is highly patriotic and beneficial. It has

had the effect of eliciting the expression of important opinions from several men of high standing and great ability in their respective field of action. It has had the effect of re-establishing the confidence in the future of this country, and preparing public opinion for demanding and insisting upon action being taken at once to prepare for the period after the war.

I have here only a few of the opinions and suggestions which have been published and which would all deserve reproduction, all demanding and insisting upon action being taken at once to prepare for the period after the war. I shall give only a couple of them. I think the campaign was opened by a very important letter of Lord Shaughnessy; I am sorry I have not got it under my hand. I have here a very important letter written by the president of the Canadian Bank of Commerce, Sir Edmund B. Walker, a portion of which I shall read to the House:

Immediately following the collapse of the war there will begin the greatest financial, industrial and social readjustment which the world has ever seen, and our future is sure to be shaped by the wisdom or folly displayed in effecting this reorganization. When we try to imagine fifteen million idle soldiers and munition workers seeking new employment in a world, in many countries of which all industries except those based on war or the daily sustenance of the people, have stopped, we fail to see far ahead because of the confusion. That every soldier, every soldier's wife, every munition worker and literally every one depending on a wage or salary, should save something now against that time is clear. The farmer may find that his splendid market has for the moment disappeared; the manufacturer may not feel justified in working his plant so as to re-employ those who went to the war; and to go back to the land, whether the unemployed wish it or not, may be the only assurance of obtaining food to eat. After the outcome of the war is clear it may take a long time to arrange peace and the armies may not be disbanded quickly, in European countries much work of reparation must begin at once, and in some countries great public works may be started to give employment, but in any event we shall have a most trying time before we settle down to the real burden that will be ours when peace is again assured to the world.

What then does it seem likely that we shall have before us after this time of readjustment? Many of our people and our industrial corporations will have been enriched, as well as many of those in the United States, and almost none will have been impoverished. Canada will have added more to its natural wealth than the total cost to it of the war. The cost in interest and sinking fund of the war debt will not, if fairly levied on each individual, seriously affect the comfort of our people, and will be of price paid for liberty which the meanest should pay with cheerfulness. We shall have a country not devasted in any part by war and constantly growing in population as the years pass by, during which the war tax, always I hope ear-marked as such, is levied.

For many years we have been borrowing freely and spending the money on public and private works for the purpose of harnessing this country for its great future. Fortunately we had come almost to the end of this stage of our development and we had also, some time before the war began, come to see the necessity of increased production in order to justify our building. This country may not, therefore, need much in the way of betterments for a few years, on the one hand, while on the other, there will be, because of this, lessened activity in many lines of work and trade. The need then to produce, both for home consumption and for export, is strongly presented to us. We are to such a degree an agricultural country that when we speak of production our minds go to the farm, sometimes to the exclusion of other industries, but, before we turn to the greater matter of the land, let us consider our manufactures.

If we can make an article for home consumption at the right cost and thus avoid importing it, we add to the national wealth by saving just as we add to it by exporting a farm product, and if we can increase our exports of manufactured articles we are to that extent progressing towards the front rank among the advanced industrial nations. When the war is over we shall have had a new and wide experience in making such intricate things as high-explosive shells, and we shall have such an accumulation of plant, useful mainly in making complicated and highly finished articles, that we ought for these reasons alone to expect to compete in making goods which have seemed quite beyond our reach hitherto. We must, however, bear steadily in mind that the fight for the world's trade in every kind of product may be beyond anything we have ever seen before. So that, while it is scarcely possible that we can come through this great experience without learning and taking a much more important place among the advanced manufacturing nations, we may have to pass through a very trying time before we achieve success. When the rebuilding of the destroyed parts of Europe begins we should benefit in our timber and lumber trades and in other ways.

Every Canadian, eastern, central or far western, should be interested in the question of adequate markets and adequate shipping to enable British Columbia to handle one of her main sources of prosperity. Again on both Atlantic and Pacific coasts vast possibilities in fishing exist which demand the last word in scientific knowledge applied to methods of catching, of curing and of marketing. When the hard times follow the war in Europe the kind of food which is the cheapest and at the same time most sustaining will have the largest market. We have the food, but we are backward in preparing it, and we greatly lack applied knowledge such as we may witness in Scotland and Norway. We have an important place as producers of minerals, and at last we are refining some of these. May we hope that what we have gained in this respect by the war will not be lost, but that soon we shall be noted for our gold, silver, nickel, copper, lead, zinc, asbestos and many minor metals, for some of which we should become the world's chief source of supply. The future permanent structures, whether on the farm or in the city, will be built with our own

cement, and some day we should use our own coal everywhere except in western Ontario.

In manufacturing, mining, fishing, etc., we cannot hope to compete with the world unless our knowledge of processes is equal to that of others. We have now in Toronto one of the finest technical schools in the world, and great schools of this class are being or have been erected elsewhere in Canada; our universities are keenly alive to the necessity of being able to probe on behalf of the manufacturers every kind of industrial problem, and are only hindered by lack of money; yet we have very much to accomplish before we can face the problem of competition without the handicap of inexperience as compared with such a nation as Germany.

Back of all this lies the fact that we have a country as large as the United States, with only about one-twelfth the population. When the returning British soldier and the weary, saddened European look abroad for a country where real liberty exists, accompanied by respect for the law; where within the temperate zone unploughed areas awaiting man's industry can still be obtained; where a fair return for honest labour and every possible opportunity for the reward of unusual ability are to be found, surely they can but turn their eyes to Canada. How are we to be prepared for this when it happens? We hope that the majority of those who come, of the returned Canadians, of the British soldiers, of the people from Europe tired of the sight of war's havoc, will go on the land. We have had much experience in immigration; we have given land most generously; we have wrestled with the problems of language and we know what it is not to be sure of the loyalty of the newcomer in the day of national trial. Shall we now turn this experience to account and without criticising in any way our past, begin with a new immigration policy fitted to our latest needs?

We should reconsider our homestead laws. Is not 160 acres often too large a holding for a man without either experience or capital? If it does not seem too much in one district with one kind of farming, is it not so under other conditions? Should we not establish a commission (which should rank in importance with the Committee of Conservation) for the purpose of selecting the lands, of fencing, building, ploughing and otherwise preparing small farms for soldiers? With the Government's guarantee the money to pay for such farms could be lent without loss to the soldier, so that eight per cent per annum paid as a rent for a term of twenty years would cancel the entire debt. Thus a farm which with improvements had cost the commission $2,000 could be purchased for a rental of $160 per annum paid during a period of twenty years. There should, perhaps, be no rent for two or three years. As further improvements became desirable further loans could be made on the same basis.

I should like to see the land selected in every province of Canada so as to spread the fine evidences of our heroic past over as much of our country as possible and thus to do the maximum of good in teaching loyalty to the strangers within our gates. Doubtless thousands of these soldiers, who are unmarried and without farm experience, should be first taught either by hiring out to farmers or by attending agricultural colleges, but this is a subject for the deep consideration of such a commission. The aim should be to give an opportunity for independence to each worthy soldier-farmer and as he succeeds to afford him further help on a business basis. It should avoid placing a title to land easily in the possession of an incompetent man, who is sure, if possible, to turn the generosity of his country into ready money, which, when wasted, has done no good to anybody. The subject is one of the greatest importance and its consideration should not be delayed. On the one hand we have a great opportunity to assure the future of this country in many respects, and on the other we may thus be able in some measure to express our debt of gratitude to those who have fought for the preservation of all the blessings that we enjoy.

Hon. Mr. EDWARDS—May I ask the author of that?

Hon. Mr. BEIQUE—Sir Byron Walker, president of the Canadian Bank of Commerce. I have one other letter which I think of still more importance because it covers the field thoroughly. It was published a day or two ago. It is a letter signed by R. J. Younge, joint general manager of the Export Association of Canada, and goes thoroughly into every branch of the question, making most important suggestions. It is as follows:

The industrial and financial readjustment, however, presents much greater difficulties.

Our territory is very great; our population is comparatively small our capital indebtedness is very heavy; our economic development has suffered a rude shock previous to the war; our national obligations falling due are every year greater; our immigration has fallen off; our manufacturing capacity is greatly in excess of the demands of our home market; and our soldiers when they return from the front must be provided with work; not altogether a cheerful set of conditions!

But thank God, there is something more in the picture. The war that has closeted us with our sacrifice and tears, has opened to us the most wonderful doors of opportunity for development and trade expansion—opportunities so great that none of us have yet awakened to realize how wonderful they are, and so urgent that I fear we may awake too late, only to find that they have gone for ever!

What are these opportunities?

They are the open markets of the British Empire and the the Allied countries, and from each of them comes the call for materials and manufactured products which Canada can supply.

What are the changed conditions which make these opportunities possible?

First of all, the striking and preferred position which Canada has established for herself as an Ally in the war.

Secondly, the resolution of the British people to bury the old political questions of free trade and tariff reform, and to unite with their Dominions in organizing the economic strength of the whole Empire by preferential tariffs, and otherwise, to meet the new conditions.

This resolve is clearly expressed in the resolution adopted by the convention of the British Association of Chambers of Commerce. held in London last week, and is evidenced again in the call which has already gone forth from the British Government to the Prime Ministers of the British Dominions inviting their co-opera-

tion in formulating plans towards Empire consolidation.

Thirdly, the determination of the Allied countries to regard the war as finally won, and the peace of the world assured only when they have crushed the commercial power of Germany—that Prussian creation, glossed with the arts of peace, which built up the industrial and financial fabric without which Germany could never have planned, provoked and declared her almost successful war upon the civilized world.

The probable result of these new conditions will be the establishment of new channels for that part of the world's trade controlled by the Allied countries.

The British standpoint in this control from the most reliable information to hand, will be to care first of all for the family (the various portions of the British Empire), secondly for Britain's friends (the other Allied countries), thirdly, to accord to the "neutrals" such treatment as they deserve, and the necessities of the Allies warrant, and finally to place severe handicaps against the enemy countries. This programme, we have good reason to believe, will be carried through, without bitterness, but with prudence and firmness.

Having paid so great a price for the maintenance of our liberty, it becomes not only the privilege but the duty of Canada, by the organization of our machinery for production, transportation, finance and distribution, to take her part in doing away with the necessity for a renewal of trade with Germany on the part of any of the Allied countries.

Have we stopped for one moment to think of what these new conditions mean to us?

France, Belgium and Poland will call upon us for thousands of tons of materials for reconstruction. Russia, with her 175,000,000 people, 85 per cent of which are following the pursuit of agriculture, has been almost wholly dependent on Germany for her manufactured products. Italy is struggling to crush immediately the domination of her industrial life by German interests.

All of these countries will offer Canada enormous orders—and our own Empire with such important markets as the Mother Country, Australia, New Zealand and South Africa, will call for our surplus products in almost every class of merchandise we can produce.

This is the moment to pause, to think, to plan, to organize. Are we prepared? No. Will the Government of Canada consummate a plan which will co-ordinate and bring to bear the entire economic strength of the Dominion to meet this unprecedented opportunity? Will the manufacturers of Canada come together to meet the competition of scores of expert companies organized in the United States preparing to spend millions of dollars in investigating the Allied markets and capturing their trade? Will the transportation companies of Canada join hands to provide facilities and to carry the products of the Dominion at favourable rates to friendly markets? Will the chartered banks of Canada consider the interests of the nation in co-operating to provide special ways and means for the financing of important export business from reliable sources?

These are the practical measures which must be taken now. In short, we are face to face with conditions which are unprecedented. We have attained nationally a strategic position of the greatest importance. It must be maintained nationally. Individual effort will be lost. Shall we, through lack of organization, allow it to slip from our grasp, or will we show sufficient business judgment to combine our scattered forces and meet these conditions with plans which may possibly for us be unprecedented, but which, after all, are really necessary?

The Export Association of Canada has made a start. It has already opened offices in Montreal, London, Melbourne (Australia), and Auckland (New Zealand), and has sent its representatives to personally visit and investigate the markets of the allied countries. Through these offices it is now placing remunerative business with Canadian manufacturers. The scope of its work and the corresponding benefits to Canada, however, will be materially increased with the support of all the leading Canadian manufacturers, and the co-operation of all the important Canadian interests.

New population? Yes. There is every good reason why Canada should bring millions to her shores, but let us first provide machinery which will ensure employment to our returning soldiers. The agricultural areas and possibilities of Canada must always receive first and constant attention; but let us not separate for one moment the prosperity of our farms from the welfare of our cities. The growing towns and cities of Canada are after all the best market of the Canadian farmer, and the industrial opportunity which faces us is without doubt the greatest and most urgent which has ever been offered to any young nation in the history of the world.

Let us be wise. Every day counts. Let us compare now, without a moment's delay, lest we be too late, the "organization of prosperity."

The Prime Minister of Canada will shortly leave for Great Britain to confer with the heads of the various portions of the Empire on this great question of co-ordination and consolidation. Simultaneously the work of organization should begin at home. If immediate steps are taken to bring together in Canada the leading representatives of the governments, the legislative assemblies, the transportation companies, the banks, the farmers and the manufacturers, I feel sure that we can depend upon the integrity of our business interests to formulate plans which will write large the name of Canada in commerce, as her soldiers have written it in war.

Yours faithfully,

R. J. Younge,
Joint General Manager,
The Export Association of Canada, Limited.

The programme, as will be seen by these letters, is well indicated and it has been exceedingly well laid out by the right hon. the Prime Minister in a report dated 26th June, 1915, to the Committee of the Privy Council, and upon which the Economic Development Commission was appointed. This report is worth placing on our record, the hon. leader of the Government in this House having been kind enough to give me a copy of it.

The Prime Minister observes that the need is everywhere recognized of stimulating greater production in Canada, and especially agricultural production, the immense importance of which has been emphasized by reasons of conditions arising out of the war.

That in connection with opportunities for increased agricultural production it is necessary to bear in mind the importance of:

(a) Improved methods of production with a view to a better return to the producer;
(b) Assisting this purpose by proper instruction and demonstration;
(c) Increasing the acreage under production;
(d) Attracting immigration of a type which would aid in ensuring a large and permanent agricultural population;
(e) Stimulating and encouraging co-operation among the producers; and,
(f) Providing cold storage and abattoir facilities.

The Prime Minister further observes that the agricultural production of Canada is of a highly diversified character and is spread over a great territory comprising an enormous area of fertile land of which only a small percentage it at present tilled.

The conditions of soil climate and situation are so varied as to emphasize the necessity of pursuing methods of cultivation and purposes of production which are especially suited to any particular locality under consideration.

The great area of territory embraced within the Dominion creates unusual problems which affect:

(a) Distribution of products in our home markets and the trade thus created between the several provinces and their various communities.
(d) The transport of products to our national ports from which they shall eventually reach their destination abroad; and,
(c) Their transport to the market of destination abroad.

The Prime Minister states that so far as is compatible with conditions herein mentioned it is manifestly in the public interest that before export the product should be converted through manufacture in Canada into the form in which it is proposed to be consumed or used; thus encouraging and stimulating those industries subsidiary to agriculture which can be carried on successfully in the Dominion.

Important questions as to the marketing of our food products, including consideration ot the time at which and the methods by which this is accomplished, should receive careful attention. The value of co-operative efforts among the producers, and the importance of reducing the present great discrepancy between the price received by the producer and that paid by the consumer, should not be overlooked.

It has been represented to the Government that large numbers of persons who before emigrating to Canada had been engaged in agricultural pursuits, have not settled upon the land in Canada, but have been attracted by the opportunities for obtaining high wages in cities and towns and in the construction of railways and other works. The opportunities for thus obtaining work have recently become considerably restricted and this result has brought about a greater degree of unemployment than usually prevails. It further appears that very large areas of land for which homesteaders have secured patents are not under cultivation, and it is considered that the causes which have led to these results are a proper subject for thorough inquiry.

In connection with the subjects above alluded to, consideration should be given to the conditions which will arise upon the conclusion of the present war and to the resulting opportunities for a vigorous and effective policy of immigration which should have as its object the purpose of attracting to our shores immigration of a suitable type, and of inducing the settlement of an agricultural population upon the fertile uncultivated lands which are abundant both in Western and in Eastern Canada. In this connection inquiry should be made as to the means by which and the lines upon which the Federal Government, whether upon its own sole initiative or in co-operation with Provincial Governments can best carry out an effective scheme of colonization.

The return to Canada, after the conclusion of the war of the Canadian troops now gallantly fighting beyond the sea for our Empire, and the probable immigration into Canada of other British soldiers and of men from the allied armies, after peace shall have been established, should also engage the attention of the proposed commission in order that every reasonable opportunity through the assistance and co-operation of the Federal and Provincial Governments may be afforded to those who may see employment.

The Prime Minister further observes that the question of transportation, whether by land or water carriage, is for reasons above indicated closely connected with the problems under consideration. With this should be considered the advantages which would undoubtedly be derived from permanent improvement of highways which are in truth an important part of our transportation system.

The approaching completion of two additional transcontinental railways is a very important element in our transportation problem. It has been represented to the Government that their construction has considerably anticipated the present capacity of the Dominion to provide traffic for trunk lines; while on the other hand important portions of newly settled territory are without the facilities which would be afforded by branch lines incident to a more carefully considered system of railway development. The condition thus created invites the careful attention of the commission.

As Canada has been and will be for many years a borrowing country requiring capital for extending and developing its agricultural and manufacturing industries, and as the securing of capital at reasonable rates of interest is essential for increased production and continued progress, this subject should also be taken into consideration. It is to be observed that no proposal which would deter capital from seeking investment in this country, or which would unfairly affect that already invested under established conditions, would in the final result assist Canadian producers in any branch of industry.

It seems reasonable that under the conditions which have developed during the past six months opportunities will rise for widening and extending our markets to the advantage not only of Canada but of the countries and communities with which trade may thus be created or extended. The steps already taken by the Government for that purpose should be brought to the attention of the commission and their consideration invited.

The Prime Minister having taken into account the foregoing considerations, as well as the representations which have been made to the Government upon the various matters aforesaid, recommends that a commission be appointed forthwith to consider, inquire into and report upon the same and any kindred subjects

which may seem to them directly connected therewith.

The Prime Minister further recommends that such commission be appointed under the provisions of part I of the Inquiries Act, Chapter 104 of the Revised Statutes of Canada, and that the commission be authorized to employ such scientific and professional assistance as its members may determine.

That the duration of the commission shall be during pleasure.

That the commission may make interim reports, from time to time, as they shall determine.

The report of the Prime Minister was approved by the Committee of the Privy Council on the 28th of the same month, but owing to the absence of the Prime Minister in Great Britain during the summer, the appointment of the commission was delayed until the 19th of October, 1915.

The names of the members of the commission were given the other day by the leader of the Government in this House. They are: our hon. friend the leader of the Government in this House, who is the chairman of the commission; Joseph Wesley Flavelle, city of Toronto; William Farrell, Vancouver, B.C.; S. Jean Baptiste Rolland, Montreal; Edward N. Hopkins, Moosejaw, Sask.; Hon. William Benjamin Ross, Middleton, N.S.; Dr. John Gunyon Rutherford, Calgary, Alta.; William Smith, Esq., M.P., Columbus, Ont.; James Cameron Waters, Ottawa, Ont.

We all rejoice that our esteemed colleague is the worthy chairman of that most important commission, and that the hon. member from Middleton is also a member of the commission; as far as they are concerned, no better choice could have been made and I do not doubt that all the other members are equally qualified.

I desire to say, here, that my motion is neither intended to criticise the work of the commission not to interfere with it. On the contrary, my object is to put in stronger light what the commission is doing, place before the public the progress which is being made, impress it with its importance, and otherwise further the success of the inquiry.

I suggest, however, that the work as set out by the Prime Minister in his report, cannot be discharged by a commission of nine members in a year, or even in two years. It covers too large a field and is too much diversified. I am sure the chairman of the commission realizes the magnitude of the task entrusted to him. I think it would have been better if the work had been subdivided. However, whether the work is done by one or two commissions, is a matter of small consequence. What is of the utmost importance is that the inquiry be thorough and completed as soon as possible, and that no time be lost in applying the necessary remedy in order that full advantage may be taken of all opportunities. The effort required is nothing compared to what is being done in the country from day to day for the war. I need only refer to the levying of an army of 250,000 men and the undertaking to double the number in the near future, to the raising of over seven million dollars for the Patriotic Fund in 1915, and adding to that this year over ten millions, and this apart from the very large private and public subscriptions made for the Red Cross hospitals, the Belgian Relief Fund and numerous other like purposes.

The present war has shown that hardly anything is beyond human efforts properly marshalled and directed.

Hon. Mr. BEAUBIEN—I understand thoroughly how important it is to be prepared for the aftermath of war both in the country and outside of it, and I hold that the men who will, after the war, make two blades of grass grow where one grew before, or whose genius will turn the energy now engaged in our industries and manufactures in connection with the war to some employment later on, to enable the country to find a means of paying the enormous debt which our country is gradually piling up, will deserve much indeed in history. But may I call your attention to the fact that perhaps there is something to be done just now that may help considerably towards the end which my hon. friend has in view and which he has so well placed before us. I have had the pleasure during the last month to meet frequently the French Commission which came to this country, and it is for the purpose of placing before this honourable House in a very few words the suggestions they have made to us that I rise and speak after the hon. gentleman. These people have told us this: "Strange as it may appear to you, before the war a great many of the products which are essential to us were obtained from Germany, though originally produced here. Where did we buy the nickel? We bought it in Berlin. Where did it come from? It came from Canada. Where did we buy the asbestos? From Germany? Where does it come from? From your own country, and they added, "Gentlemen, we are coming to you to-day to find out whether it is not possible for us to sell to you goods which

you formerly bought in Germany, and induce you to show what you can sell directly to us which we procured before the war from Germany. Now we want an unlimited supply of timber for the construction of wooden houses for the parts of our country which have been devastated. We want this immediately. You are the country par excellence for that purpose. Can we not get together right away and arrange so that you can furnish these goods to us? What can be said of timber: what can be said of the lumber product, can be said of a great many other articles. Why do you not come amongst us and inquire? You will be received with open arms. Come among us, look over the list of articles that you can furnish us, and at this time of the year especially when your own soldiers are fighting side by side with ours, you can count on us. We will give you every possible preference." Lately the different Chambers of Commerce, I believe in Montreal, Toronto and Winnipeg, and other big cities, have asked the Government to form a commission, or delegation whose mission it would be to interview the merchant, the trader, and the consumer of France, and find out what interchange of goods we can make with them, not only after the war, which may last several years, but which we may make now with profit to our own country. Would it not be a very wise thing to accept that invitation right away? Would it not be a very wise thing to see that we furnish what is so much required in the devastated portions of France? Why allow other countries to step in and take the place which the natural sympathy of France at this present time is ready to offer, for example, to our lumber merchants of Canada? What can be done for lumber, an article which before the war we could naturally have furnished to France, might be done for a great many articles which before the war we could not furnish to France, but which we could furnish now on account of the changed conditions. It is quite possible that we may now find in France a market very much wider and more profitable than before the war; and I hope that the Government will see fit to follow the suggestions made by the different chambers of commerce and without delay send a commission to France for the purpose of finding out what benefit, after all, our country can derive from this new market.

Hon. Mr. BEAUBIEN.

Hon. Mr. EDWARDS—I must confess at once that while I think what is suggested is highly desirable, I am unable to agree with the hon. gentleman as to all the possibilities that have been suggested. I think it is true that the most crucial time in the history of Canada has arrived, or soon will arrive, and it behooves Canadians in every walk of life to study the future and see how we are to emerge from the difficulties which in my humble opinion are likely to overtake us. I am not one of those who entertain the opinion that many of the manufactures which are dormant today are dormant because of the war. Canada is at the moment going through a period of artificial development just as it was for many years prior to the war. For perhaps fifteen or twenty years prior to 1914 Canada lived under absolutely artificial conditions. Enormous amounts of capital had been expended for the construction of railways and for development, which gave an impetus to this country and which gave many Canadians, in my humble opinion, a wrong impression of Canada and its possibilities. But for the war I consider that today we would be suffering from a most terrible depression consequent on the abnormal development which I have already described. Now, we are temporarily saved from that depression by the immense crop of last year and the high prices charged the year before and the very fair prices obtained this year, and the enormous manufacture of munitions of war. Just so long as the war lasts, and, just so long as Canada has fair crops, I think this condition will continue, but after the war is over—not immediately perhaps, but within a reasonable period afterwards—will come a time when a great many Canadians who are not thinking to-day will begin to think. Many of our people imagine that we are existing under natural conditions, whereas, as I have said, we are living entirely under artificial conditions. The time will arrive in the history of Canada when our strongest and most capable business men should lead in the administration of the affairs of our country, simply because I believe we are approaching a period of stress such as this country has never known. I am told by some that I am a pessimist. Well, my life has not demonstrated that I am a pessimist, but I believe in looking at conditions as they are; I do not believe in taking a visionary view of anything. One of our great troubles has been that during

the period which I have described a great deal of the borrowed money in Canada was not expended in the best interests of the Dominion. It has been expended upon railway construction which Canada does not require now, and is not likely to require in the future. One of the strongest things we could do in this country is to appoint a commission to determine how many thousand miles of existing railway can be dispensed with in the best interests of Canada. Our condition was this: before the war we owed abroad $150,000,000 in interest annually Dominion, provincial, municipal and corporate undertakings. That was our liability. Our liability has enormously increased consequent on the war. We will have a large pension fund to pay. One cure would be a large influx of population; in my opinion that is the only thing which would assist Canada out of the extreme difficulty which I think is going to overcome it. The question is, are we to have that immigration? A great many believe that we are. Personally, I should like to see it, but I do not know where it is to come from. To-day Canada is depopulated, and when the next census is taken I expect to find our population reduced at least 1,000,000, and I cannot believe that we are to have the great immigration that is expected.

Hon. Mr. BELCOURT—Where is it going?

Hon. Mr. EDWARDS—To Europe and to all parts of the world. A great many Austrians, Germans, Frenchmen, Italians and others have left this country. A great many who were attracted to this country by the abnormal wages which prevailed during the period of expansion which I have described, left the winter before last during the temporary period of depression before we began to enjoy the benefits of large expenditures on munition orders.

Hon. Mr. BELCOURT—A million people?

Hon. Mr. EDWARDS—Yes, I think it will be found when the next census is taken that Canada will have lost a million people. I have said that we are going to reach a very crucial stage in the history of Canada. I feel no doubt of it myself. It has been suggested that we may possibly have great industrial development after the war. I cannot see how that can possibly take place. My humble opinion is that Canada must come down to hard times, and live upon the natural and the producing resources of Canada, which are primarily agriculture, lumber, mining, and fishing. We will enjoy, of course, a certain measure of industrial expansion, but I cannot believe it possible that we can expect any great industrial development after the war. I will tell you why. A great many do not realize how the world is going to be impoverished in consequence of this war. The purchasing power of the world will be enormously reduced. It is true that the purchasing power of the United States will not be reduced, because they are temporarily enjoying prosperity unparalleled perhaps in the history of the world; but if they expect that after the war they are going to sell largely abroad I think they will find themselves greatly mistaken. You cannot reduce the wealth of the world to the extent of perhaps two or three hundreds of billions of dollars, as it will be reduced by this war, and do the same business afterwards; that is perfectly impossible. I will admit that immediately after the war there will be a period of reconstruction in Europe, during which there will be a further extension of credit, just as there has been an extension of credit for carrying on this war—which simply means that though not parallel with the expenditure for the war, will be an expenditure which does not immediately bring about returns—simply a further extension of credit, and making the debts of the various countries involved greater than they were before. Now, under these conditions, the question for us is what is Canada going to do? As has been suggested by my hon. friend who moved this resolution, every means possible should be taken to attract the best kind of immigration to this country that we can get; every means should be taken for the development of our agricultural resources and of everything which Canada can profitably develop. The appointment of a committee to back up and support the efforts which I know are being put forth by my hon. friend the leader of the Government, who is the chairman of the commission appointed by the Government, will not, in my opinion, detract from its operations but rather help and facilitate them, which I am sure is the intention of the mover of this resolution. There was one remark made by my hon. friend which, although somewhat foreign to this debate, I must try to set right. He seemed to regard the fact that Canada has

a balance of trade in its favour to-day as being in the best interests of this country. I do not think so. It shows that Canada has stopped developing.

Hon. Mr. BEIQUE—Does not the hon. gentleman think that the profits made in the manufacture of munitions of war count a good deal in that?

Hon. Mr. EDWARDS—That is another subject entirely. This is an artificial condition. The United States had an enormous balance of trade, as they supposed, for many years, but that country was not making its best development. A new country which is developing shows its best development where the balance of trade is against it and not in its favour; and the reason Canada has to-day a balance of trade in its favour, or supposedly in its favour, is because of the abnormal production of an article which finally is not to enrich us but which finally will impoverish us, which is not for the development of Canada, but is waste of powder, which is pure loss. This is a subject which is very near to me, and although I have the appearance of being physically able to make a lengthy speech, I am sorry I am not able to do so, as it is very hurtful for me to speak at all, so that I shall have to close my remarks; but I would say that this proposed committee, if it does its work well, may be able to suggest a great deal which will be helpful to my hon. friend in the work of his commission and will not interfere in any way with it. I think every loyal Canadian to-day should study the best interests of Canada. I am one of those who believe that to-day there should be no politics whatever in this country. Political advancement or political advantage to-day should not be a consideration, and I do not think is a consideration in the mind of any true and loyal Canadian. I repeat we want our strongest and best men at the front. In my opinion, after the war is over there will be a great change in the political aspect of things Canadian; that the questions which will arise will be questions away and beyond any party consideration whatever; and that every one should strive for first that which will conduce to the winning of this war, and next to the saving of our country in every possible way, and planning for its future. I am a little sorry I was not in a position to take notes and refer to the various questions that have arisen. I have spoken in general terms, and given you briefly my views upon this subject; and I say again that every man in Canada should strive first to attain success in the war, and next for the upbuilding of Canada.

Hon. Mr. DAVIS—As it is getting late, and I should like to have an opportunity of reading the remarks of my hon. friend who introduced this motion, I would ask the House for the privilege of adjourning the debate. I have no objection to the appointment of a committee providing it is not going to cost any money; but under the present condition of the finances of this country we ought to economize, and to appoint as few commissions as possible. The Government of the day has appointed a number of commissions; in fact, I am not able to keep track of them. I think it would be in order, perhaps, for the Government to appoint a commission to investigate all the different commissions they have appointed, and find out what they have done and see how much of the people's money they have spent up to the present time. I know some commissions that have done nothing so far but draw their pay, such as the Indian Commission in British Columbia. If the committee suggested by this motion is not going to cost the country any money, I favour it, but I cannot see what good is to be the outcome of this committee when we have already a commission of which the leader of this House is chairman, and my hon. friend proposes to put the same members of that commission on to this committee. I do not see what good could come of that. I move that the debate be adjourned until to-morrow.

The motion was agreed to.

PATENT OF HARVEY HUBBELL, INCORPORATED.

SECOND READING.

Hon. Mr. McHUGH moved the third reading of Bill E, "an Act respecting a certain patent of Harvey Hubbell, incorporated."

Hon. Mr. SPROULE—I understood we were to have an explanation of this Bill. Two or three attempts have been made, but so far without any results.

Hon. Mr. McHUGH—The holder of this patent comes to this Parliament asking for an Act to reinstate it because the manufacture of the article covered by the patent

was not started within the two years' term. It was out on the 21st October, 1913, and they had until the 21st October, 1915, to start it, but they had not started the manufacture before the 21st November last. The reason they were not able to start the manufacture within the two years was because the machinery required for making the apparatus was of such a nature that they had not got it perfected to such a degree as to warrant them in placing the article on the market at a price low enough to be sold to the trade. It is a simple article, and was exhibited in the committee the other day. It is a lock for locking those bulbs that are hung out of doors and on streets, and prevents the stealing of them.

There is a secret in locking them on, and when once locket if they are taken off they are of no further use to those who take them. The delay arose, because they had not got the machinery to manufacture them fit for the trade. I might add, while I am on my feet, that they could have got over that, because the department could have granted a year's extension of time without the parties going to Parliament, but the attorney for the company being a United States gentleman, was aware of their not having three years' time, as they have in the States, to manufacture the article after getting out the patent, and he was not aware of the Canadian regulation, and hence did not make application in time. As soon as it was noticed by the Toronto company, who now hold the patent, they applied to have it reinstated, as they found they were nearly a month late, and had to come to Parliament. It has been stated in this House over and over again that the Canadian laws governing patents are lax compared with those of other countries. I have had occasion lately to look into that matter, and I do not know of any country as rigid in enforcing their laws, or as drastic in treating inventors, as is Canada. In the United States a patent is granted for a full term of seventeen years. In Canada the life of a patent is eighteen years, but subject to a tax of $20 a year, and if the tax is not paid on the day it is due parties have to come to Parliament and get legislation, which is very costly. In England the life of a patent is fourteen years, and the holders have to manufacture within four years. In Canada it is granted for a term of six years, but the Crown says, "You must begin to manufacture within two years, or your patent will lapse and Parliament alone can revive it." In England the term is seven years, but they can get it renewed for a second term on paying a small fee. If the patent does lapse in England the party does not require to go to Parliament to have it reinstated; the Commissioner of Patents there can renew the patent on payment of a small fee of a few dollars. There is no such power to go to the commissioner of patents in Canada. I think our Canadian laws with reference to patents are the most drastic in the world. I am sure nobody will say that the inventors of the country have not conferred as much benefit on the community as any other class, and they should be treated, not only fairly, but generously when they apply to Parliament. They have done a great deal. Where would we all be if it were not for the inventive genius of Sir Isaac Newton, Watts and others? Instead of treating them harshly, we should treat them generously, and where they have committed a trifling error and come to Parliament, we should try to rectify their mistakes.

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

SECOND READINGS.

Bill (T), An Act for the relief of Mary Phyllis Lasher.—Hon. Mr. Taylor.

Bill (U), An Act for the relief of Mabel Mills.—Hon. Mr. Derbyshire.

Bill No. 22, An Act to incorporate Edmonton and Southwestern Railway Company.—Hon. Mr. Talbot.

Bill No. 30, An Act to incorporate Seaport Trusts Corporation.—Hon. Mr. Bostock.

Bill No. 36, An Act respecting the Joliette and Lake Manuan Colonization Railway Company.—Hon. Mr. Belcourt.

BANK ACT AMENDMENT BILL.

SECOND READING POSTPONED.

Hon. Mr. CHOQUETTE moved the second reading of Bill (S), An Act to amend the Bank Act as regards unclaimed balances.

Hon. Mr. LOUGHEED—This is rather an extraordinary Bill which has been introduced by the hon. gentleman from Grandville, and it is objectionable in several particulars. It proposes that by the legislative authority of Parliament, originating in this branch of the legislature, there shall be a confiscation in favour of the Crown of unpaid bank balances, that upon

that confiscation taking place the money of the owners of these balances shall revert to the Crown, and that authority be vested in the Governor in Council so that the Government may make a disposition of the money as specified. That is to say, the Government may divert it to the credit of the Patriotic Fund or other public services. In the first place, I might say to hon. gentlemen that it is very undesirable that a Bill embodying a policy so unique and important, and particularly dealing with money, should originate with a private member—

Hon. Mr. CHOQUETTE—Why not?

Hon. Mr. LOUGHEED—And more so that it should be introduced in this branch of the legislature, in which a money Bill cannot originate. In the first place the measure is confiscatory. That is a subject which should alone be dealt with by the Government of the day. It involves a most important policy, and defeats a well-recognized principle of parliamentary practice and procedure, namely, that a money Bill cannot be introduced or originated in this Chamber. It is not necessary for me to dwell upon that feature of the Bill. Hon. gentlemen will perceive the anomaly at once, and the evasion which it would be of a well-established principle of parliamentary practice, not only a principle of practice, but a rule of Parliament. A money Bill can only originate in the House of Commons, and then must be dealt with by recommendation of the Crown. The hon. gentleman's Bill proposes that all unpaid balances shall be confiscated in this particular way, and he proposes by this legislation to practically dispose of it, to apply it to a particular purpose in precisely the same way the Government would do with reference to any public funds. It is quite clear, and it must be manifest to every hon. gentleman, that if legislation of this character can be introduced or can originate in this House and that a private member by legislation can say how public moneys shall be expended, we are absolutely ignoring one of the best established principles and rules of Parliament. I think I should not enlarge to any greater extent upon this Bill than I have already done, except to say that we appreciate the generosity of the hon. gentleman from Grandville in appropriating the moneys of others, and we appreciate his patriotism and loyalty in appropriating this money on behalf of the Patriotic Fund. I raise a question of order that the Bill cannot be introduced by my hon. friend.

The SPEAKER—I am ready to hear the discussion on the question of order.

Hon. Sir MACKENZIE BOWELL—Drop t. Drop it.

Hon. Mr. DANDURAND—With reference to this point of order, I would draw attention to perhaps an unconstitutional eature of my hon. friend's Bill which has ot been touched upon by the hon. leader f the Government. It is the attempt by his Parliament to appropriate to the)ominion Exchequer sums of money which hould be escheated to the Provincial Government. In these deposits, there are undoubtedly numerous sums which are unclaimed because of the death of the depositor, and bcause of the absence of heirs. These sums undoubtedly go to and are the property of the Provincial Government. So that this is one further reason why this point of order should be maintained.

Hon. Mr. SPROULE—With reference to he question raised by the hon. leader of he House, I should like to say that the rinciple appears to be so plain, as laid own by all authorities, that a money Bill annot be introduced and emanate from his branch of the Legislature, that it eems scarcely worth while taking up the ime of the House discussing it. Money 3ills must first be initiated by a recommendation—

Hon. Mr. CHOQUETTE—If it is a money 3ill I cannot introduce it.

Hon. Mr. SPROULE—Money Bills must rst be initiated by recommendation from he Crown and resolution, neither of which as been complied with in this case. I was oing to say that it is not within the rights f this House to deal with fines or fees in a Bill originating here any more than it ,ould be to deal with money in the conolidated revenue of the country. All the ower we have is to reject such a Bill, as ny hon. friend from Hastings reminds me.

Hon. Mr. CHOQUETTE—I am sorry not o have been informed before this very noment that such a question would be raised in reference to the Bill. I shall have to look into the matter a little. I am not quite prepared to answer, except to say hat this is not a money Bill in the sense

my hon. friend has in his mind. It is no more a money Bill to amend the Bank Act than to amend the Militia or Post Office Act. I quite agree that I would be out of order if I were to introduce a Bill to spend public money, or to ask the Government to put some amount in the Estimates to spend. I would have no right to do that; but I take the Bank Act and say that such balances as are shown in the reports of the banks might be disposed of in the way the Government think best. I am surprised that a lawyer of the ability of the hon. leader of the Government in this House, and a gentleman of the experience of the ex-Speaker of the House of Commons should say that this is a money Bill. My hon. friend from Delorimier has raised a constitutional question dealing with immovable properties and rights in the province of Quebec, but I do not think he can seriously say that the moneys of banks which are under the control of the Federal Government belong to the province.

Hon. Mr. LOUGHEED—All our revenues are under the control of the Dominion Government.

Hon. Mr. CHOQUETTE—The hon. gentleman is speaking as the president of a bank which holds some of this money.

Hon. Mr. DANDURAND—No, I was not speaking as such.

Hon. Mr. CHOQUETTE—I am not surprised at bank directors holding the view that they should not give the money to the Government, but as the Bill is framed, it cannot be said to be a money Bill or that it should not originate in this House. I have not the authorities under my hand just now, but I would be very much surprised if the Speaker should declare the point of order well taken. I was about to cite what had been stated in the public press and newspapers supporting the Government advocating the principle of the Bill and saying it was a good thing and ought to be done. I am surprised that the leader of the Government is now raising this question, because when I first brought it before the House he said that a provision for dealing with unclaimed balances was already in the law. He said.

Hon. Mr. Lougheed—Has the hon. gentleman looked into the section of the Bank Act making provision for the reversion of these unclaimed balances to the Government after a certain peirod?

Hon. Mr. Choquette—That is what I am suggesting.

Hon. Mr. Lougheed—My hon. friend is aware that after a certain period goes by these funds become the property of the Crown.

That is what I am suggesting. At the time we thought that there was already a law to that effect, and it disposes of the constitutional point raised by the hon. gentleman from Delorimier, since the money already belonged to the Government. The hon. gentleman cited section 114 of the Bank Act, to show that after a certain time the money belonged to them as long as it was not claimed. I will cite cases later on. I think I had better ask for an adjournment of the debate now, as I should like to consult the authorities. Of course I have great respect for the opinion of the hon. leader but it is only the opinion of one lawyer. His opinion may be good if he supports it by some authority. I say that this is not a money Bill. I have some doubts about the matter, and I shall just leave it in the hands of the Speaker.

Hon. Mr. BEIQUE—There is no question that the point is well taken as far as the second clause of the Bill is concerned. The first portion of the Bill does not attempt to dispose of these unclaimed balances

Hon. Mr. CHOQUETTE—There might, perhaps, be some doubt about that, though I am not asking the Government to spend the money. I was just suggesting that the moneys shall be used for such a purpose. If I were asking the Government to dispose of the money to pay something—for instance, if I were to say the money would be used to pay the widows or descendants of these people—that would be a different proposition, but when I say that the Government may take it for the patriotic fund or some other purpose, I do not dispose of it at all. They apply it for the public good If the money were to be taken to build a college or hospital, or some institution the point would be well taken, but when we do not dispose of it that is a different proposition, and I think clause 2 is still in order.

Hon. Sir MACKENZIE BOWELL—The approval of a certain portion of this resolution, as I understand my hon. friend who has just spoken, would give power to the Senate to impose any tax. Is this not an indirect tax that is imposed by taking these balances from the bank, declaring them to belong to the Crown, and then afterwards

disposing of them? You might as well levy on the bank a tax in the form of a percentage on its deposits, and then when it is received declare how it shall be disposed of. The two cases are analogous; the one is a sample of what the result would be in the other. This Bill proposes to declare what shall become of a certain amount of money that is left on deposit in the bank. Is that not an indirect mode of collecting money for the country? You might just as well say, "We will tax you for holding that." It is an indirect mode of disposing of the money, and it would be equally out of order to declare how the money shall be disposed of, because that power belongs to the Commons, and not to the Senate. The point is taken very properly by the hon. gentleman, who said that if there are no heirs to claim this money it belongs to the Provincial Government. Apart from that, let me say that since the hon. gentleman introduced this question a few days ago, I took some little trouble to ask bankers what course they adopt in order to ascertain, if possible, the owners or heirs who would have a right to claim this money, and the information received from the bankers in the city in which I live was that nothing was left undone in order to notify the parties to whom the money belonged, and where they lived. In fact, the manager of the Bank of Commerce informed me he had travelled miles and miles to induce some of the heirs to come in and take the money that had been lying there for twelve years. The charges against the banks in that respect are somewhat ill-founded, I think, for there is no desire on the part of those who control the banks of this country to keep other people's money; all that they desire is to get the interest, and as much as they can, and they take it in that way and not in the way suggested by those who have objected to the manner in which this money has been disposed of.

The SPEAKER—I take it for granted that the Bill is under our rule 70 and appropriates public money, and it should be within the knowledge of the Senate as being recommended by the King's representative. Rule 70 reads:

> The Senate will not proceed upon a Bill appropriating public money, that shall not, within the knowledge of the Senate, have been recommended by the King's representative.

This is a Bill to amend the Bank Act. Well, I suppose that the Bank Act will be conceded to be a money Bill. It is founded on resolution as a question of commerce.

Hon. Mr. WATSON—The Bank Act is not a money Bill.

The SPEAKER—I refer to the disposal of the money. By rule 70 the Senate must be apprised of the fact, by the recommendation of the King's representative, that the Bill appropriating public money has such a recommendation. By the second clause of this Bill the money collected under it should be used for the Patriotic Fund or any other purpose in the public interest. I think that it is a money Bill.

Hon. Mr. CHOQUETTE—We can drop that clause.

The SPEAKER—But I must take the Bill as it comes before me.

Hon. Sir MACKENZIE BOWELL—The question is whether it is in order.

The SPEAKER—If the hon. gentleman wants a decision I am ready to postpone it until to-morrow.

Hon Mr. ROSS (Middleton)—It is out of order.

The SPEAKER—I do not want to do injustice to anybody, but that is my opinion. If there is any doubt I am willing to wait until to-morrow to give my opinion after consulting the proper authorities. I shall give it in writing to-morrow.

Hon. Mr. LOUGHEED—We will take your word for it.

The second reading of the Bill was postponed.

PATENT OF JAMES W. OWEN.

SECOND READING.

Hon. Mr. TAYLOR moved the second reading of Bill No. 19, An Act respecting a patent of James W. Owen.

Hon. Mr. SPROULE—I may say with reference to this Bill, about which I asked for information yesterday, that I have been looking into it since, and have obtained all the information that I desire.

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

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

Thursday, March 16, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

RAILWAY BELT IN BRITISH COLUMBIA WATER ACT—ORDER IN COUNCIL.

MOTION.

Hon. Mr. LOUGHEED moved:

That the following order in Council, made by His Royal Highness the Governor General in Council, in accordance with the provisions of Section 6, 2, Chapter 45, 3-4 George V, 1913, "Railway Belt Water Act," on the date hereinafter mentioned that is to say,—

(1) Order en Council, P. C. No. 369, dated 27th February, 1915, authorizing the adoption of the Provincial Water Act, 1914, of the province of British Columbia, for the purpose of the administration of the water within the railway belt so that such Act shall apply as if it were enacted by the Parliament of Canada, in accordance with the authority contained in section 6, of the Railway Belt Water Act, 1913.

Copy of which Order in Council was laid before this House on the 8th day of February, 1916, for the approval of this House, under the provisions of Section 77, Chapter 20, 7-8 Edward VII, be, and the same is now so approved.

The motion was agreed to.

DOMINION LANDS IN RAILWAY BELT, BRITISH COLUMBIA, REGULATIONS.

MOTION.

Hon. Mr. LOUGHEED moved:

That the following Order 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 of September, 1889, that is to say,—

(1) Order in Council, P.C. No. 1392, dated 19th June, 1915, amending the Dominion lands regulations respecting the immediate issue of patent to entrants in the British Columbia railway belt who are totally disabled or killed while on active service.

Copy of which Order in Council was laid before this House on the 8th day of February, 1916, for the approval of this House, under the provisions of Section 77, Chapter 20, 7-8 Edward VII, be, and the same is now so approved.

The motion was agreed to.

ORDERS IN COUNCIL UNDER DOMINION FOREST RESERVES AND PARKS ACT.

MOTION.

Hon. Mr. LOUGHEED moved:

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, "Dominion Forest Reserves and Parks Act," that is to say,—

(1) Order in Council, P.C. No. 486, dated 6th March, 1915, amending the Dominion Forest Reserves and Parks Act so as to provide for the definition of the term "Game" and for permission to destroy noxious, predatory or dangerous animals and noxious birds within the parks.

(2) Order in Council, P.C. No. 833, dated 24th April, 1915, amending the Dominion parks regulations prohibiting the possession and carrying of unsealed weapons so as to provide that no person shall traffic in, or engage in the business of buying and selling fire arms within any Dominion park.

(3) Order in Council, P.C. No. 915, dated 30th April, 1915, rescinding the regulations with respect to the removal of timber from Dominion parks and authorizing certain regulations in connection therewith.

(4) Order in Council, P.C. No. 1170, dated 21st May, 1915, amending the Dominion parks regulations so as to provide for the prohibition of riding bicycles or motor conveyances upon walks or foot-paths of any townsite in any Dominion park.

(5) Order in Council, P.C. No. 1394, dated 19th June, 1915, providing for the extension of the limits within which motor vehicles may be permitted to run in Rocky Mountains park.

(6) Order in Council, P.C. No. 1647, dated 14th July, 1915, amending the regulations for the removal of timber in Dominion parks, rescinding paragraph (2) of section 27A, providing for (2) nine (9) to (11) eleven inches in diameter at the butt end, three-tenths of a cent per lineal foot.

(7) Order in Council, P.C. No. 2148, dated 16th September, 1915, amending the Dominion parks regulations so as to provide for the using of motors in any Dominion park.

(8) Order in Council, P.C. No. 2149, dated 16th September, 1915, amending the Dominion parks regulations so as to adequately provide for the prevention of fire.

(9) Order in Council, P.C. No. 2140, dated 17th September, 1915, amending the quarrying regulations so as to include the leasing of Dominion lands containing deposits of clay and within all Dominion parks, except Buffalo park, Elk Island park or any other park established solely as an animal enclosure or bird sanctuary.

(10) Order in Council, P.C. No. 2293, dated 30th September, 1915, amending the Quartz Mining regulations by rescinding them so far as to apply to Phosphate of lime claims within Dominion parks.

Copies of each of which Orders in Council were laid before this House on the 8th day of February, 1916, for the approval of this House, under the provisions of Section 77, Chapter 20, 7-8 Edward VII, be, and the same are now so approved.

Hon. Mr. POWER—With respect to the first Order in Council mentioned in the paper laid on the Table, that is the amendment to the Game Law, could the hon. gentleman tell me what it is?

Hon. Mr. LOUGHEED—The explanation of the Order in Council No. 486 is as follows:

The Department of Justice advised that the Parks' Regulations did not make the

possession of game an offence. It was therefore necessary under the existing regulations in order to convict a party, to have a witness to the killing. The Justice Department also recommended defining the term "game." This Order in Council was therefore passed in order to define the term "game" in the Dominion Parks Regulations, and to make the possession of game an offence. This was necessary in order to effectively protect the game and to provide for convicting parties found with game in their possession.

This Order in Council also amended the existing regulations by adding a clause providing authority for the forest officers acting under the Parks' administration to kill any noxious and predatory animals and noxious birds, which in addition to being a menace to the public were destroying the game it was desired to protect.

The Order in Council also provided authority whereby certain specimens required for scientific purposes may be captured or killed by any forest officer acting under the Parks' administration with the consent and upon the authority of the minister.

ORDERS IN COUNCIL UNDER DOMINION LANDS ACT.

MOTION.

Hon. Mr. LOUGHEED moved:

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. 103, dated 16th January, 1915, amending the regulations governing the royalty charged on coal mined from Dominion lands, so as to provide for the reduction of the royalty on coal from the rate of 10 cents per ton of 2,000 lbs., to the rate of 7 cents per ton of 2,000 lbs., of merchantable coal mined.

(2) Order in Council, P.C. No. 185, dated 26th of January, 1915, amending the coal mining regulations so as to provide for permitting the lessee of a coal mining location in unsurveyed territory applying the amount expended in prospecting operations on the tract leased to be applied as payment of the rental covering a period of not more than five years of the term of the leases.

(3) Order in Council, P.C. No. 2826, dated 26th January, 1915 amending the regulations governing placer mining to provide for the granting of applications on the North Saskatchewan river of a strip of land 100 feet wide along the high water mark of any river, extending into the river to its lowest water level, to be known as "bar-diggings."

(4) Order in Council P.C. No. 296, dated 9th February, 1915, amending the regulations with respect to leasing school lands, so as to provide for the leasing of school lands in connection with the water-power regulations when required for development of water-power in the same manner as Dominion lands. The rental derived from such occupation of school lands to be paid to the Receiver General on account of the School Lands' Fund of the province in which such lands are situated.

(5) Order in Council, P.C. No. 441, dated 27th February, 1915, amending the regulations for the issue of permits to cut timber on school lands so as to provide for the discontinuance of the issue of permits to cut railway ties on school sections.

(6) Order in Council, P.C. No. 437, dated 11th March, 1915, amending the regulations for the disposal of quartz mining claims so as to provide for an extension of time for one year from that date within which lessees might furnish the evidence of the required expenditure in mining operations.

(7) Order in Council, P.C. No. 1042, dated 8th May, 1915, amending the Dominion lands regulations so as to provide for the immediate issue of patent for a homestead in the case of entrants who are totally disabled or killed while on active service.

(8) Order in Council, P.C. No. 1120, dated 21st May, 1915, amending the petroleum and natural gas regulations providing for the conservation of the petroleum and natural gas rights under lands immediately surrounding the city of Medicine Hat.

(9) Order in Council, P.C. No. 1194, dated 24th May, 1915, amending the petroleum and natural gas regulations rescinding section 7 of such regulations, providing for the location being at right angles to the base line of a lake or river in unsurveyed territory.

(10) Order in Council, P.C. No. 1253, dated 1st June, 1915, ratifying certain Orders in Council, pased subsequently to the prorogation of Parliament in 1914, in connection with which the concurrence of both Houses of Parliament was not obtained owing to the resolution being overlooked during the press of business in the House of Commons at the end of the session of 1915.

(11) Order in Council, P.C. No. 1420, dated 19th of June, 1915, amending the regulations governing the administration of lands containing limestone, granite, marble, etc., so as to permit more than one location of 40 acres being acquired for the purpose of construction or maintenance of municipal works or improvements.

(12) Order in Council, P.C. No. 2150, dated 20th September, 1915, authorizing the relief which may be granted to a homesteader who is a member of a military force and providing for the definition of the term "legal representative."

(13) Order in Council, P.C. No. 2252, dated 25th September, 1915, authorizing the protection of mining claims of persons on active service until six months after the termination of the present war.

(14) Order in Council, P.C. No. 2888, dated 9th December, 1915, amending the Dominion lands regulations by authorizing the protection of entries granted to settlers subsequent to enlistment for active service overseas.

Copies of each of which Orders in Council were laid before this House on the 8th day of February, 1916, for the approval of this House, under the provisions of Section 77, Chapter 20, 7-8 Edward VII, be, and the same are now so approved.

Hon. Mr. BOSTOCK—I should like to ask the hon. gentleman what is the object in reducing the royalty on coal in the first order?

Hon. Mr. LOUGHEED—That is Order in Council No. 103: the explanation is as follows: Under the late Coal Mining Regulations lands were acquired by purchase, at the rate of $10 an acre, and the royalty on the coal was fixed at 10 cents per ton.

Under the new regulations, coal mining rights are acquired under lease, at the rate of $1 an acre per annum, and the royalty is fixed at 5 cents per ton.

Owners of coal mining rights acquired by purchase, who were large producers, demonstrated to the department by a comparison that they were paying a higher rate for their rights than those who acquired by lease.

As this appeared to be clearly the case, the royalty on coal mined from lands acquired by purchase was reduced from the 10 cents to 7 cents per ton, such reduction to take effect from the first day of January, 1915.

BILL INTRODUCED.

Bill (W), An Act for the relief of Arthur Alexander Reinhardt.—Hon. Mr. McCall.

A QUESTION OF PRIVILEGE.

Hon. Mr. POPE—Before the Orders of the Day are proceeded with—

The SPEAKER—They have been called.

Hon. Mr. POPE—I know they have been called, but before they are proceeded with I beg to call the attention of the Senate to a speech delivered by the Speaker of this honourable House on the 27th day of June, in the city of Ottawa, reported in Le Droit newspaper.

The SPEAKER—I want to know from the hon. gentleman if he is proceeding on a question of privilege or not?

Hon. Mr. POPE—I rise to a question of privilege.

The SPEAKER—We will see what the privilege is.

Hon. Mr. POPE—The privilege is to read the following report as it appeared in Le Droit newspaper, which I think hon. gentlemen will find, after I have read it, reflects upon us—a speech delivered by the hon. the Speaker.

The SPEAKER—Does the hon. gentleman intend to make a charge against me?

Hon. Mr. POPE—No; my desire, hon. gentlemen, is to give the Speaker an opportunity of vindicating himself in regard to this report as its reflects upon the hon. members of this House.

The SPEAKER—If I want to vindicate myself it is in consequence of a charge made against me.

Hon. Mr. POPE—I am sorry if His Honour has to assume that position, but at the same time I would say that the honour of this House is perhaps sufficient warrant for me in proceeding at least to ascertain if this is a correct report of the speech delivered by the hon. Speaker in this city on the 27th June, as published in the newspaper.

The SPEAKER—The hon. gentleman has no right to proceed in that way; he knows that he has not the right.

Hon. Mr. POPE—I do not know; I think I have a right to rise on a question of privilege.

The SPEAKER—Yes, but the hon. gentleman must establish that it is a question of privilege. That is not a question of privilege at all.

Hon. Mr. POPE—I will establish the question of privilege when I read the article.

The SPEAKER—No, I stop the hon. gentleman before he reads the article. If he wants to raise a question of privilege let him establish immediately that it is a question. A speech made outside of this House four or five months ago cannot be the basis for a question of privilege.

Hon. Mr. DANDURAND—I would suggest that His Honour the Speaker call some one to the Chair.

The SPEAKER—Well, I call Mr. Dandurand to the Chair.

Hon. Mr. DANDURAND—I would suggest, instead, that the Hon. Mr. Sproule be called, inasmuch as he has lately examined into the question and I have not.

The SPEAKER—I would answer the remarks made by the Hon. Mr. Dandurand in this way: When I told the Hon. Mr. Sproule that I would call him again he asked me not to do so, and it is in deference to his wishes that I am asking Hon.

Mr. Dandurand to take the Chair. I did not want to make the choice, but as the Hon. Mr. Dandurand stood up I asked him.

Hon. Mr. Dandurand then took the Chair.

Hon. Mr. POPE—I suppose I can get up now?

Hon. Mr. DOMVILLE—Give up.

Hon. Mr. LANDRY—I rise to a point of order.

Hon. Mr. DANDURAND (Acting Speaker) —Does the hon. gentleman desire to raise a question as to the authenticity or correctness of a report that appeared in the press?

Hon. Mr. POPE—I desire to read the report and ask the hon. gentleman if it is correct.

Hon. Mr. LANDRY—No, I rise to a point of order on that statement. I asked the hon. gentleman if it was a charge against me. He said no, but certainly it was because I would have to make an explanation. If I have to explain my part in it I must be under a charge.

Hon. Mr. POPE—The question is whether the report is true or untrue, and the hon. gentleman cannot say whether it is or not until I read it. You cannot say I am out of order until I read something.

Hon. Mr. LANDRY—No, no, no.

Hon. Mr. DANDURAND (Acting Speaker) —In order that I may know exactly the point submitted I understand the hon. gentleman is about to read a report of a speech made by His Honour the Speaker, and to ask him if that is a correct report of his speech.

Hon. Mr. POPE—That is it.

Hon. Mr. LANDRY—I answer that he cannot do it. It is not a question of privilege. If it was a question of privilege, it should arise from something done or said in this House. The offence with which I am charged is that I made a speech during the recess, and I am called upon to vindicate my conduct. The hon. gentleman wants to ask me if that report he wants to read is true. May says:

"Certain matters cannot be debated, save upon a substantive motion which can be dealt with by amendment, or by the distinct vote of the House, such as the conduct of the sovereign, the heir to the throne, the viceroy and Governor General of India, the Lord Lieutenant of Ireland, the Speaker, the chairman of ways and means, members of either House of Parliament, and judges of the superior courts of the United Kingdom, including persons holding the position of a judge, such as a judge in a court of bankruptcy, and of a county court. These matters cannot, therefore, be questioned by way of amendment, nor upon a motion for adjournment under standing order No. 10 (see page 252). For the same reason, no charge of a personal character can be raised, save upon a direct and substantive motion to that effect. No statement of that kind can, therefore, be embodied in a notice stating that the attention of the House will be called to a matter of that nature."

Before the hon. gentleman assumes to attack me in this House he must show cause, and I have a right to have a notice of two days on a substantive motion which may be discussed in this House. I do not care to prevent the hon. gentleman from proceeding, but I want him to follow the procedure; he must give notice of motion, and if he wants to bring papers or a memorandum of my speech given outside the House, he must file a copy of that speech and have it placed before the House so that I may see what is in that report and give the proper answer.

Hon. Mr. DANDURAND (Acting Speaker) —I should like the hon. gentleman to give me the page of May from which he has just read.

Hon. Mr. LANDRY—Page 279 of May.

Hon. Mr. SPROULE—It would seem to me that the hon. the Speaker has started a little too soon. The question of privilege may arise suddenly or otherwise. There is nothing to say that it may not have arisen in the past; there is nothing to say that it must arise in the present; but once it does arise, the party rising to the question of privilege has the right to place before the House what in his judgment is a question of privilege, and it may be for the House to determine whether it is one of their privileges that ought to be considered or not; but to stop before the question of privilege is stated appears to me a little premature. Rule 42 of the Senate says with reference to a question of privilege:

Any senator complaining to the Senate of a statement in a newspaper as a breach of privilege, shall produce a copy of the paper containing the statement in question.

Well, if I understand correctly, the hon. member has furnished himself with that. Then as to what is a question of privilege I would refer to Bourinot, page 424:

In the Canadian House of Commons questions of privilege take a very wide range, but it may

be stated in general terms that they refer to all matters affecting the rights and immunities of the House collectively, or the position and conduct of members in their representative character. In this category may be placed: motions touching the seat or election of members, reflections or libels in books and newspapers on the House or members thereof.

That is what is laid down by Bourinot as a question of privilege; then he goes on to say:

Prima facie, any question affecting a member is considered a case of privilege, but in order to entitle the member to bring it up on that ground he must show that it affects him since he became a member of the House, and consequently in his character of a member.

Well, that is the best authority, and agrees substantially with May in regard to what is a question of privilege. Consequently it seems to me premature to refer to that now; it would appear to me that the hon. member is within his rights to at least read it and submit it to the House.

Hon. Mr. DANDURAND (Acting Speaker)—Does the hon. gentleman intend to discuss the question of the point of order?

Hon. Mr. POPE—No.

Hon. Mr. DANDURAND (Acting Speaker)—Does any other hon. gentleman want to discuss the point of order?

Hon. Mr. BELCOURT—I should like to read what I find in Bourinot at pages 424, 425, and 426:

In the Canadian House of Commons questions of privilege take a very wide range but it may be stated in general terms that they refer to all matters affecting the rights and immunities of the House collectively, or the position and conduct of members in their representative character. In this category may be placed; motions touching the seat or election of members; reflections or libels in books and newspapers on the House or members thereof, or any of its committees; forgery of signatures to petitions; motions for new writs; questions affecting the internal economy or proceedings of the House; applications for the discharge of persons in the custody of the Sergeant-at-Arms; interference of officials in elections. Prima facie, any question affecting a member is considered a case of privilege, but in order to entitle a member to bring it up on that ground he must show that it affects him since he became a member of the House, and consequently in his character of a member. In the Canadian Commons members have been in the habit of correcting reports of their speeches, or inaccurate statements in the press on the ground of privilege; but these are personal explanations, not matters of privilege, and are allowed by the indulgence of the House. But it is very clearly laid down by the English authorities that if a member has a complaint to make of a newspaper, he should formally move to have it read at the table, and then make a motion in relation thereto, if he desires to have the matter discussed and dealt with by the House. If a member rise to make a personal explanation in the English Commons and proceed in the course of his remarks to complain of attacks in a newspaper he is not allowed to proceed unless he is prepared to take the proper parliamentary course under such circumstances. And if a member brings forward a matter of privilege of this character, the motion with which he concludes should be relevant thereto.

Hon. Mr. CHOQUETTE—I quite agree with all that has been said by the ex-Speaker of the House of Commons (Hon. Mr. Sproule), which has been concurred in by the member from Ottawa (Hon. Mr. Belcourt), but all this applies to individual members of the House. Page 277 says positively:

Certain matters cannot be debated, save upon a substantive motion which can be dealt with by amendment, or by the distinct vote of the House.

"Certain matters;" what are they that cannot be debated?

Such as the conduct of the Sovereign, the heir to the throne, the Viceroy and Governor General of India, the Lord-Lieutenant of Ireland, the Speaker.

This specially mentions the Speaker.

Hon. Mr. SPROULE—Will the hon. senator kindly read on and he will find that it applies to every member of the House.

Hon. Mr. CHOQUETTE—I know, but it cannot be debated unless there is a substantive motion, in order that an amendment may be proposed one way or the other. I claim that in the cases specially mentioned, the hon. gentleman has no more right to attack a Speaker here by privilege or otherwise, than to attack the King or the Judges of the Courts. This is plainly an exception to the general rule, and all the authorities cited so far relating to members individually do not apply. The Speaker cannot be attacked unless there is a substantive motion put before the House.

Hon. Mr. POPE—I have not attacked, and do not intend to attack, the Speaker. I desire to know whether this report, which has been circulated in the press which reflects upon the majority of the House, is true or untrue. That is not a reflection.

Hon. Mr. DAVIS—Read it.

Hon. Mr. BELCOURT—Bourinot, at page 427, says:

Precedent goes to show that the Canadian House of Commons, in its desire to deal promptly with all questions affecting its members, has

generally waived the strict rules that govern matters of privilege properly speaking and given every possible facility for inquiry thereon, but when a member proposes to make a motion touching another member, it is frequently found convenient that he should state his intentions in his place, and then give notice that he will move it when motions are called in due order on a subsequent day.

Hon. Mr. DANDURAND (Acting Speaker)—The hon. gentleman has just cited a paragraph from Bourinot at page 427, but I do not believe that it applies to the present case, because from the statement made by the hon. gentleman from Compton, he simply desires to read what purports to be a speech made by an hon. member of this House, and to ask if that is a correct report of his speech. He has not stated that he intends to make a motion or to act subsequently. Some action may be in his mind, according to what will appear to him to be necessary. It will be then time to see what is the value of the action he takes, as to the regularity of the procedure. So far I decide that the hon. gentleman is in order in reading the article and putting the question.

Hon. Mr. POPE—In raising the question of privilege in reference to the remarks made by the Speaker of this House on the 27th June, as reported in Le Droit newspaper and other newspapers in Canada, I desire to say that I have had a translation into English of the article, which appears in the paper in French.

Hon. Mr. DANDURAND (Acting Speaker)—The hon. gentleman has the original text to lay on the table.

Hon. Mr. POPE—Yes.

Hon. Mr. LANDRY—Will the hon. gentleman be kind enough to let me have the copy of Le Droit while he is reading the translation?

Hon. Mr. POPE—Certainly. The translation reads as follows:

The Hon. Senator Landry.

This morning, says Hon. Senator Landry, I was following the beautiful procession of the St. John Baptist Society and although far from my home city, I still could believe myself in the midst of my own people. I went in to the church and there saw faces which were not unknown to me. At the foot of the Altar, I saw Zouaves lined up for a guard of honour; in Quebec we also have Zouaves. I saw the Garde Champlain in the chancel; in Quebec we have a Garde Champlain. I saw volunteer soldiers of His Majesty. I heard names familiar to me; no need to speak of the Recollets, we have them in Quebec. The speaker in the pulpit once lived in Limoilou. I believed myself at home and I remembered that this suburb already formed a separate municipality. I have been Mayor of Limoilou and I must tell you that I ceased being mayor of that place to become the father of the little Ontario children. I am not one of the position-seekers spoken of by Mgr. Latulippe.

The Presidency of the Association.

I was called to the presidency of the Association Canadienne-Française d'Education d'Ontario and I shall devote myself to the revindication of our rights in this province. I want to crown my career. I want to crown my political life by obtaining with your help the revindication of our rights and the triumph of the cause we are all fighting for. The stand I assumed in the Manitoba, Alberta and Keewatin questions may have designated me for this high position. The stand I assumed in all those circumstances proved that I could lay aside all party affiliations where the rights of the minority were concerned. We have waged an arduous fight in the House and through the newspapers, and I claim a large share of the work undertaken for the Catholics in Manitoba.

The trip to Rome.

I went to Rome, continues the Speaker in the interests of the minority, for the arrival of an Apostolic Delegate was destined to muzzle the French Canadian clergy and those fighting at his side for the triumph of our interests. I went to Rome to prevent the nomination of a delegate, because we feared he might fall in the clutches of the chiefs of that day. Rampolla, Cardinal Secretary of State, answered that my efforts were late; the delegate had been appointed the very day on which I sailed.

The Canadian Government had asked for a delegate to settle the Western school question, but on that same day the second reading of the Bill was adopted by the English majority of the local House. The question was not settled, and those who have read the documents now part of history understand that I continued my fight against the delegate as well as against the Government.

Laurier's Policy.

That question was settled by a compromise between the judges and Mr. Greenway's party, that is to say between the oppressors and the judges. But the Manitoba school question was never settled. We obtained a Privy Council order to the Manitoba legislature demanding that the Catholics' situation be remedied, and, in default of this, ordering the Federal Government to pass a remedying law.

The Order was passed, and was followed by a lengthy, useless discussion which lasted until prorogation. When the time came for the matter to go into committee, the discussion hung fire until second reading and nothing was settled. Later came the establishment of the Alberta and Saskatchewan provinces. A law then existed in the West stipulating that majorities might have whatever schools they like, and minorities should have separate schools.

Honourable Fitzpatrick was then Minister of Justice. Laurier presented a Bill favouring new schools. Sifton made his noisy exit from the Cabinet, and Fielding threatened to leave also. Laurier withdrew his Bill; the rights of the minority were thus sacrificed. To-day, the Catholic minority in the West are on suffrance and their rights are ephemeral.

The Keewatin affair.

Later, when Keewatin was annexed, adds Mr. Landry, I became absolutely separated from my

friends, although I was then president of the Senate, a position condemning me to silence. A speaker has no right to speak. I abandoned my own friends to fly to the rescue of Keewatin.

Three Bills were then on the Table. The first to annex Keewatin to Manitoba, the second to annex Ungava to Quebec, the third to annex the New Ontario to Ontario. A clause was found to protect the rights of the Indians when those Bills were voted on, but in the Keewatin Bill, nothing was found to protect the Catholic minority, if those rights were not revindicated beforehand before the courts of Justice. I fought, and since then the door to honour and advancement has been locked in my face. Politics were laid aside. Mr. Belcourt and I, whose difference of political views is well known fought side by side for the triumph of our cause.

The underworld of History.

Senator David one day asked the Senate to express the wish that questions like those of the bi-lingual schools should be settled according to the spirit of the constitution. Nothing dangerous in that. But our enemies eyes were open; they protested strongly. To calm these gentlemen, Senator Bolduc submitted an amendment specifying no province in particular. Then Senator Edwards submitted a sub-amendment with a long preamble, forbidden by the Rules saying it was inopportune to decide on the question. I declared the motion out of order, and I was right.

Strike in the Senate.

My decision, says the Speaker, was reversed by all the Conservatives and all the Liberals not French Canadians. It was a fight between parties. I did not wish to fan the flames, but a few days later, the fanatic majority rose up anew against me on a question of patronage. I saw the Premier, and told him the only thing I could do was leave the Chair. The Premier advised me to resume the Chair. I refused emphatically. On the day of Prorogation, I resumed the Chair declaring that the Premier, in a letter to me, thoroughly approved of my attitude. That letter, if read, would have forced a Minister of the Crown to resign.

No Politics.

No, the question is not dead, adds the speaker. When I accepted the presidency of the Association, I placed the condition that this question should be lifted from all party strife and electioneering manœuvres. It is not just to blame the Government for an act they did not commit or for an omission for which they are not responsible.

I published a manifesto. I made a tour of the Ontario centres; I wished to come into contact with the French Canadian element of the province.

Still we have two elements fighting against us. First the Orangemen who are waging war to the death on French in Ontario. What right has orangeism in this country? I understand its existence in Ireland at a certain time, but should the orangemen bring their quarrels and dissensions into this country? It may be remembered that at Belleville, King Edward VII then Prince of Wales, refused to pass beneath the arches erected by the Orangemen. He had understood that, far from Ireland, it has no reason of existence in the land.

The House of Commons and the Senate both repeatedly refused them incorporation, finally they received a Charter as a mutual protection society.

Second Enemy.

Our second enemy is found in the population which refuses to be French and established in this country. I shall not place on the same level all English speaking men, for we have on this platform a man who consecrated his life to a fight for our rights. The cause of this unnatural league between the two elements we do not know.

I am actually in correspondence with the Apostolic Delegate to try and arrive at a compromise honourable to all. There is talk of an appeal to the Privy Council, but before the decision of the Ontario Courts is known we may have another appeal, and this time to the Eternal city. We are ready to receive her decision, and we await it with confidence.

Injustice of Clause 17.

We are trying to make the Ontario Government understand the injustice of Clause 17. I wrote the Prime Minister asking for an interview, but illness chains him to his bed, and he tells me he shall hear me when he is better, and I hope we shall reach an understanding. If notwithstanding our efforts and persuasions, we cannot obtain an honourable compromise, I can't say what we shall do, but I shall answer like Kitchener when he was asked when the war would end; "I cannot say when the war will end, but it will begin towards May.

We are only beginning our fights. From the province of Quebec, we are receiving ammunition and encouragement; it is good to know that a whole province is with us and that we have brothers who will help us.

The students in several schools gave up their school prizes to give the money to the Canadian fighting men in our province for the revindication of their rights.

Denominational Schools.

All amendments to our constitution must come from the British Government. One clause says the provinces have exclusive jurisdiction, but in this sense that the rights enjoyed by a certain class in 1867 must be maintained after Confederation. And in 1867 the separate schools already existed; the Act reads:

"Denominational Schools". They are schools where the precepts of religion are taught.

Do you understand that in a Catholic school it is possible to confide your children to Protestant teachers and Protestant inspectors? It is an anomaly. Such an anomaly exists however, and I contend we have not the Denominational schools granted us by Confederation.

Clause 17 constitutes an intervention in the Catholic schools because it orders double inspection.

Privy Council.

If the Ontario Courts concludes the speaker, are not favourable to us, we shall carry our claims to the Privy Council, and we will ask the Mother Country if our children from Ontario and Quebec have no other right than that of giving up their lives in the service of the Empire. We shall call for justice, and shall obtain it, because it is England's policy to render justice to all.

I finally hope, that with your help, ladies and gentlemen, and with the help of all those who occupy high position in the country, we shall work to repulse the common enemy and obtain victory; it may be that after years we shall obtain what we wish for and Ottawa shall be freed of the hobbles which prevent the education of our children.

That is the translation of the article as I have it, and the hon. Speaker has the original in his hands. I would ask him if it is substantially correct.

Hon. Mr. LANDRY—In answer to the hon. gentleman I will say that if he will be kind enough to conform to the rules of this House, and to give a notice—

Hon. Mr. POPE—I do not think on a question of privilege that I am bound to give notice.

Hon. Mr. LANDRY—I do not see any power that will force me to answer.

Hon. Mr. DANDURAND (Acting Speaker) —The question cannot go further. The hon. gentleman has put his question to the Speaker of the Senate. It is for him to answer as he pleases. The incident ends there.

Hon. Mr. POPE—I understand I am in order to move a motion?

Hon. Mr. DANDURAND (Acting Speaker) —That is another question.

Hon. Mr. POPE—I shall conclude my remarks with a motion. I gave notice the other day. I am not very conversant with the rules that govern this honourable body, and I desire to read from Bourinot—

Hon. Mr. POWER—Pardon me for a moment. The ground taken by the hon. gentleman who occupies the Chair indicates the proper course to pursue. The hon. gentleman of whom the question was asked should first state whether or not that is a substantially correct report of his speech, and when that answer has been obtained then the hon. gentleman goes on with his motion.

Hon. Mr. DANDURAND (Acting Speaker) —I have taken it for granted that the answer to the question is a refusal to answer.

Hon. Mr. LANDRY—No, no.

Hon. Mr. DANDURAND (Acting Speaker) —For the moment.

Hon. Mr. LANDRY—For the moment. Because I claim the rules of this House are in my favour.

Hon. Mr. POPE—As to that, I do not know. I only know that you can lead a horse to the trough but you cannot make him drink. At page 162, Bourinot, I find the following:

When a member has reason to complain of a speech made by another member outside the House he must bring up the matter—

Which I have already done—

—but he ought previously, as a matter of courtesy give notice of his intention to the member complained of.

Which I have already done—

Hon. Mr. LANDRY—I never got the notice.

Hon. Mr. POPE—And asked him formally whether the report is correct before proceeding in the matter. Practically, I did that the other day. Exceptions were taken technically as to whether the date or place in the question I submitted the House was absolutely accurate, and whether I was in line with every detail of the rules. Not knowing the rules, perhaps my motion was not strictly accurate. But Bourinot does not say, and I did not believe that I had to do all these things. Therefore I took what I considered the gentlemanly course, and put a substantive question, or notice, on the Paper, which notified the Hon. Speaker of this House of my intention to bring up this matter, as his speech refers to hon. gentlemen of this House. Under these circumstances I should be allowed to proceed, with the consent of this House.

Hon. Mr. POWER—I am not objecting. Do not misunderstand me.

Hon. Mr. POPE—May I proceed with my motion?

Hon. Mr. DANDURAND (Acting Speaker) —I am not very clear whether the hon. gentleman can make a motion. Does he intend to proceed by motion or by notice of motion?

Hon. Mr. POPE—I propose to proceed by motion. I have already given notice of motion, and I propose now to move the motion.

Hon. Mr. POWER—Go on.

Hon. Mr. POPE—I conclude with a motion. I need not start off with a motion. We have from the hon. Speaker a practical acknowledgment, so far as he sees fit to go, that this report of his speech is substantialy correct.

Hon. Mr. LANDRY—I never said that—

Hon. Mr. POPE—I must proceed upon that basis, because of the translated speech. There is no desire on my part to reflect

upon that hon. gentleman, or anything he may have said, provided he does not reflect upon us, and I sincerely hope—

Hon. Mr. CHOQUETTE—I rise to a question of order.

Hon. Mr. POPE—I submit I can proceed with my motion.

Hon. Mr. CHOQUETTE—Where are we? The Acting Speaker has decided that the hon. gentleman had to put his case before the Senate. The next step, I think, is to give notice that he will bring up the matter referred to in this speech some other day. I do not think he has a right, after having read this report, to proceed further now. He must give notice of motion that he will move on such a day. He has read a report of the speech, and it is a very good speech.

Hon. Mr. DANDURAND (Acting Speaker) —The hon. gentleman has declared that he intended to make a motion. If the point is raised that the hon. gentleman cannot proceed by a motion, but that it must be by a notice of motion, then I should like to have the point discussed.

Hon. Mr. POPE—Of course, we take no exception to the large proportion of this speech. Of the personal eulogy of himself by himself I have no criticism to make.

Hon. Mr. LANDRY—I think the hon. gentleman is not discussing the point of order.

Hon. Mr. POPE—I am coming to it. I am in order, and I am preparing to move my amendment. It is not my desire to reflect in the slightest degree upon the hon. gentleman.

Hon. Mr. CHOQUETTE—The hon. gentleman is not in order. He has no right to proceed.

Hon. Mr. POPE—The speech reflects upon hon. gentlemen of this House.

Hon. Mr. DANDURAND (Acting Speaker) —There is a point of order raised that the hon. gentleman cannot proceed now by way of a motion, but must give notice of motion that he will proceed on a future day. I should like to hear the hon. gentleman or some other member on this point.

Hon. Mr. SPROULE—I do not think any rule has been quoted to strengthen that statement. A question of privilege very often arises on the spur of the moment, and all the rules that govern us read that it may be taken up at any time except that it may not disturb a member who is speaking at the time, or any matter that is before the House and being considered, but outside of that it may be taken up at any time, and the party rising to a question of privilege may, without any notice, immediately at the end of his statement make a motion. That is my understanding of the rules of this House.

Hon. Mr. LANDRY—I have always contended and contend now that it is not a question of privilege. If I call a table a chair, will it make it a chair? The hon. gentleman says this is a question of privilege. It is not a question of privilege. It is a matter which can only be debated after proper notice has been given. Everybody will be taken by surprise by the procedure we are adopting in this House. Any accusation may be brought against a man before he knows anything about it and on the spur of the moment he may be obliged to vindicate his honour. The hon. gentleman speaks of the courtesy he used with regard to me. Where is the courtesy? The first thing he did was to put a notice of motion on the paper. I was never notified. Is that courtesy? If that is courtesy it is courtesy properly belonging to the hon. gentleman alone. I know nobody in this House that would think that placing a notice on the paper in this way was an act of courtesy. In the House of Commons where a member accuses a fellow member he notifies him before putting a notice on the paper. That is courtesy. He tells him that on such a day he will give notice, and the notice will appear on the Order Paper. I have never known courtesy of this character. What does he want to accomplish? He is in a hurry—why? He knew about this matter months ago. Why did he not take it up sooner? The honour of every member of this House, he says, was impugned and he has been sleeping all the session until now. He has not the courage to bring this question before the House to vindicate the honour of the House. No, it is not a question of privilege. If it had been a question of privilege he would have brought it up immediately at the first sitting of the House as a question of privilege to vindicate the honour of this House, but he did not bring it up because he knew it was not a question of privilege. I maintain it is not a question of privilege and that it is out of order.

Hon. Mr. POPE—I rise to a point of order.

Hon. Mr. LANDRY—I am speaking to the point of order.

Hon. Mr. POPE—The Speaker decided that it was a question of privilege and I had a right to proceed. The Speaker is entitled to the same respect from the hon. gentleman as from me.

Hon. Mr. LANDRY—The Speaker could not decide the other day that it was a question of privilege, because he had not in his hands the proper documents. He said if it was a question of privilege he could proceed without notice, but that was only conditional. He never decided it was a question of privilege and could not decide that before he knew the subject that was to be brought up. It is not a question of privilege.

Hon. Mr. SPROULE—I am not sure that I understand exactly what is the question before the Chair, whether it is the right to immediately follow the reading of this article by a motion, or whether this is a question of privilege or not. His Honour was correct in saying that the gentleman who occupied the chair the other day did not decide that this matter was a question of privilege because it was unknown to him what the matter was, but he decided that any member had a right to rise to a question of privilege at any time. If the question is as to whether this is a question of privilege or not, having heard it, I would like to draw attention to the authority that I read already referred to, Bourinot, at page 424, as follows:

> It may be stated in general terms that they refer to all matters affecting the rights and immunities of the House, collectively, or the position and conduct of members in their representative character.

It affects them. Then the quotation proceeds:

> Prima facie any question affecting a member is considered a case of privilege.

I have no concern with the large bulk of the article that was read. Of course the reference to the Irishmen does not affect us in any way.

Hon. Mr. LANDRY—I know we always went hand in hand.

Hon. Mr. SPROULE—I wish to refer to what, in my judgment, is the essence of the article: that is, speaking of the majority of the Senate as fanatics. Nuttall, in his English dictionary, says that a fanatic is "a person filled with religious frenzy; fanatical; enthusiastic; wild; mad; visionary; and therefore by analogy presumably incapable of acting impartially or giving a fair judgment on any question." Now, I ask whether that is not a question of privilege when applied to hon. members of the Senate? Webster defines a fanatic as "one who is wildly extravagant, especially on religious subjects;" and fanaticism as frenzy; violent agitation; temporary madness; fury; delirium. I merely ask if that is the condition of the majority of the Senate. Surely there is a question of privilege for the Senate to deal with—and I am only dealing with the question whether it is or is not a question of privilege. That is all I have to say on it. In my judgment it is eminently a question of privilege.

Hon. Mr. DANDURAND (Acting Speaker)—I have before me Bourinot, who states at page 427:

> Precedents go to show that the Canadian House of Commons, in its desire to deal promptly with all questions affecting its members, has generally waived the strict rules that govern matters of privilege properly speaking and given every possible facility for inquiry thereon, but when a member proposes to make a motion touching another member, it is frequently found convenient that he should state his intentions in his place, and then give notice that he will move it when motions are called in due order on a subsequent day.

Now, as the matter is not one that has arisen yesterday, as I understand, because I was personally at preceding discussions on the matter, I would suggest that the hon. member from Compton should proceed by notice of motion, which will very likely comprise the substance of the charge, or of the malignant part, as he believes that to be malignant, in his motion, so that the members will have the advantage of seeing that part of the article which is impugned.

Hon. Mr. POPE—It is always my pleasure to abide by the decision of the Chair; and as it is very important that the Senate should have some work before it, I therefore, from the economic and every point of view, quite agree with the decision that you have given, Sir, and shall take the first opportunity to bring the matter up again according to the rules of this House.

Hon. Mr. SPROULE—I do not wish to dissent from the decision or to take any part in this matter, but it seems to me that in taking the course suggested we are abandoning what is the undoubted right of

every senator in this Chamber, and I should not wish this to be regarded as a precedent to guide our conduct in the future.

Several hon. GENTLEMEN—Order, order.

Hon. Mr. POIRIER—The point of order has been decided.

THE FIRE AT PARLIAMENT BUILDINGS.

Hon. Mr. CLORAN—Before the Orders of the Day are called I should like to draw the attention of the leader of the Government in this Chamber to the matter discussed three or four weeks ago—the proposal to recognize the service of the Senate staff during the late fire in the Parliament Buildings. At that time the hon. leader of the House said he would be very glad to do anything he could in the matter, but he would like to defer it until the return of the chairman of the Internal Economy Committee to the House. We are all pleased to see that the chairman of that committee has returned, and though I have no personal interest in this matter, I hope the hon. leader of the Government and the chairman of the committee will get together and see what can be done in recognition of the services of the staff who did so much to save the national treasures, and especially the treasures of the Senate.

BILL INTRODUCED.

Bill (X), An Act to incorporate the Manitoba and Saskatchewan Bible Society.—Hon. Mr. Watson.

THIRD READINGS.

Bill No. 17, An Act to incorporate the Canadian Indemnity Company.—Hon. Mr. Watson.

Bill No. 20, An Act respecting Queen's University at Kingston, and to amalgamate therewith the School of Mining and Agriculture.—Hon. Mr. Taylor.

Bill (T), An Act for the relief of Mary Phyllis Lasher.—Hon. Mr. Taylor.

Bill (U), An Act for the relief of Mabel Mills.—Hon. Mr. Derbyshire.

SECOND READINGS.

Bill No. 6, An Act to confirm certain agreements made between The Canadian Northern Ontario Railway Company, The Canadian Northern Railway Company and The Canadian Pacific Railway Company.—Hon. Mr. Watson.

WHITE PHOSPHORUS MATCHES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 37, An Act to amend the White Phosphorus Matches Act.

Hon. Mr. BOSTOCK—Would the hon. gentleman make an explanation as to this Bill.

Hon. Mr. LOUGHEED—The object of this Bill is to extend the time for the coming into operation of a portion of it. Under the Act of 1914, chapter 12, the manufacture, importation, sale and use of matches manufactured with white phosphorus was forbidden. The manufacture and importation, were forbidden from January 1, 1915, and the sale and use, from January 1, 1916. The Bill is to extend the time in which white phosphorus matches may be used to January 1, 1917, and the Bill is retroactive so as to prevent prosecutions for violations of this provision during the period between January 1, 1916 and the present time. It appears that there are considerable stocks of white phosphorus matches still in the country, and it is to prevent dealers and shop-keepers who have them from suffering loss. The manufacture and importation have already been stopped. The most essential principle of the Bill at the time it was first considered and passed was to prohibit the manufacture of white phosphorus matches on account of the deleterious effect it had upon the operatives. The other features of the Bill necesarily follow, of course.

Hon. Mr. BELCOURT—What are the effects? On the lungs?

Hon. Mr. LOUGHEED—Yes, I understand so.

Hon. Mr. McSWEENEY—Effects on the general health.

Hon. Mr. LOUGHEED—I cannot speak with great accuracy on that point, but it was very deleterious to the health of the operatives.

Hon. Mr. BOSTOCK—I did not quite understand my hon. friend's explanation. Clause 13 reads:

> This Act shall come into force on the first day of January, one thousand nine hundred and fifteen, except section five thereof, which shall not come into force until the first day of July, one thousand nine hundred and sixteen: Provided, however, that the provision in the said section forbidding the use of any matches made

with white phosphorus shall not come into force until the first day of January, one thousand nine hundred and seventeen.

I did not quite understand that my hon. friend made any explanation about that particular point of it. Probably we can discuss that at the committee stage.

Hon. Mr. BEIQUE—It is to postpone the time for the operation of this clause. The people concerned opposed it.

Hon. Mr. LOUGHEED—The people opposed the Bill when we were considering it in the first place.

Hon. Mr. DANIEL—As far as I have considered the matter, the Bill is plain enough in its intention, which is to allow the people who have on hand white phosphorus matches an extension of time in which they may be sold. The manufacture was stopped some time ago, and this applies merely to the sale of those which remain on hand. Of course the object of the Bill in the first place, as I understand it, was to prevent what was known as "fossy jaw" in the operatives handling phosphorus.

Hon. Mr. BELCOURT—What is that?

Hon. Mr. DANIEL—Necrosis of the jaw bone, that is the disease to which those handling white phosphorus were subject. In addition to that it was found, on some few occasions, that children, who will bite every thing they get hold of, have poisoned themselves by biting these matches. I believe there was a case in Prince Edward Island where a woman dissolved the phosphorus part of these matches in water in order to poison some people or children, and she succeeded in doing so. But this Bill is simply to allow dealers a little more time to get rid of stocks of matches they have on hand.

Motion agreed to and Bill read the second time.

WINDING-UP ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 55, An Act to amend the Winding-up Act.

He said: This Bill makes provision for certain amendments to the Winding-up Act consequent upon the passage of certain legislation in the province of Ontario. It simply deals with the designation of the courts so as to conform with the legislation passed in that province.

Hon. Mr. BOSTOCK.

Hon. Mr. BELCOURT—As I understand, it is merely to give the right name of the court.

Hon. Mr. LOUGHEED—That is all. The court is called the Supreme Court of Ontario.

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

PROMOTION OF AGRICULTURAL, INDUSTRIAL AND TRADE INTERESTS.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Honourable Mr. Béique, seconded by the Honourable Mr. Edwards:

(1) That a committee composed of nine members of this House be appointed to inquire alone or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial and trades interests of this country both during and after the war; such committee to be composed of the following members: The Honourable Messieurs Bolduc, Lougheed, Dandurand, Edwards, Bostock, Ross (Moosejaw), Taylor, Ross (Middleton), and the mover, and to report from time to time to this House; and (2) that a message be sent to the House of Commons inviting that House to appoint a like committee to act jointly with the committee appointed by this House.—Hon. Mr. Davis.

Hon. Mr. BOSTOCK—The hon. gentleman from Prince Albert told me that he had to leave, and asked that this matter be allowed to stand until next Tuesday; but I understand my hon. friend from De Lorimier desired to say a few words on the question.

Hon. Mr. DANDURAND—As the hon. gentleman from Prince Albert is not here I may as well take his place for a few moments and make a couple of remarks which seem to me pertinent before this motion is put to the House. I recognize the importance of this motion and of the steps already taken by the Government in the appointment of a commission. What will be the situation of Canada after the war, and the effect of the cessation of hostilities on our economic life, is a question that hardly any one can answer. We are in an abnormal condition, employing thousands of people in trades that will stop when the war ceases. We will have hundreds of thousands of men returning after having abandoned their occupations for a year or two, and who will be seeking employment. I see only two means of increasing our

purchasing power, and those are, first, by the development of our natural resources, increasing our farm acreage, the manufacture of our lumber, the working of our mines, and the developing of our fisheries. But I do not rely as much as do a number of Canadians who have expressed themselves on this problem, upon European immigration after the war to find the increased number of hands that will do the work of developing our natural resources. I fear that when this war is over, and seven or ten millions of men are slain or disabled for life, there will be so much need for farm hands throughout Europe that people will not think of coming over to North America to better their condition. There will be millions of homes without a master, millions of widows looking for help, and I cannot realize that under those conditions there will be in those countries a plethora of men looking for better opportunities in North America. Besides that, thousands of villages and towns will need to be rebuilt, and I do not see that for some years we can expect any strong movement of emigration from the continent of Europe towards our shores. My conviction is that we will have to rely upon the tens of thousands of young Canadians who will return and who should be encouraged to settle on the land. We will also have, to what extent I do not know, but I hope to a large extent, the ex-service men of England, Scotland and Ireland, who having uprooted themselves from their own country for a couple of years may make up their minds to seek larger opportunities in Canada. It seems to me this will be a somewhat limited source from which we will draw, and I fear we shall be some years without seeing a stream of immigrants coming as heretofore from northern Europe to settle in our northwest. There is another source from which we can increase our wealth, namely, the development of our industries. I believe Canadian industries will have to rely more on the foreign than on the domestic markets, because I fear that we will not have the 200,000 or 300,000 immigrants that we got yearly during the last fifteen years, to increase the consumption of Canadian manufactured goods. But if the home market does not give our industries those advantages which they found during the last 15 or 20 years, it seems to me that Europe, devastated Europe, bled white, will be unable to find within its own borders all that it will require to rebuild those immense areas of country which will have been devastated. My hon. friend from Ottawa (Hon. Mr. Edwards) stated yesterday that Europe would be so weakened financially that it would have to continue borrowing in order to bring about its proper restoration. That may be, and that will probably be, but it is not our problem; it will be theirs. There is one sure question—that the devastated parts of France, of Belgium, of Russia and many other parts will have to be restored, and that those countries will, by borrowing or otherwise, at once undertake the task of rebuilding. The French Government has already appointed an important commission of engineers, architects, and other men of knowledge, to study the means of restoring the devastated northern part of France. That commission has invited the world to send representatives to an exhibition which will take place in May next in Paris, in order to have them exhibit the plans and the goods that they could furnish towards the restoration of that devastated country. I may say that already some Canadians have been moving, and the lumber merchants, manufacturers and woodworkers have already met and put up portable houses which will be needed by the thousands in northern France, and have sent some over to Paris. In this work they have had the closest co-operation of the Minister of Trade and Commerce and some of the Provincial Governments. Now, I do not know if this effort which France is making to draw the attention of its allies, and possibly of the neutrals, to the opportunities which will await them in that country, will be taken advantage of by the divers trades and industries of Canada. The Dominion Government should lose no time in sending first class business men as representatives of the Dominion in those lands to survey the ground and see what should be done to direct the attention of Canada to the opportunities which are already offering themselves and which will all the more increase as we near the hour when peace will be declared. It is true that we have commercial representatives in most of those countries, but I would impress upon my hon. friend who represents the Government in this House the necessity at this time of enlarging our representation by sending keen business men who could examine into the conditions there and into the openings which offer. My hon. friend from de Sala-

berry has made a motion for the appointment of a committee which could perhaps work in conjunction with a similar committee appointed by the House of Commons. I am not sure that that committee would have time between this debate and the end of the session to do very effective work, but I would have no objection to the appointment of such a joint committee of this House and the House of Commons that would sit during recess, whose members would naturally give their time gratuitously to the country.

Such a committee could sub-divide itself so as to have one committee per province, which would sit during recess to study the various aspects of the question so as to make suggestions to the Government. My hon. friend is chairman of a commission which will have to tackle quite a large problem. I wonder if he could not avail himself of the suggestion I make to appoint sub committees of members of both Houses living in the same community and who could be easily assembled, because it is out of the question to ask members of this House and of the Commons, after recess, if selected from every province, to meet at a given place, at Ottawa, for instance. When the session is over we all know that members of Parliament and senators are desirous of returning to their homes, and if the sub committees were appointed and provincially organized, perhaps they could help in the work which is confided to the care of my hon. friend. I should like to say further that the Canadian Pacific railway intends to contribute towards placing men on the land, by a systematic plan, which has been given to the press to-day by Baron Shaughnessy, President of the Canadian Pacific railway. He states that they are preparing an extensive plan to place on the farms the returning soldiers. I cite his words, which I highly commend as a most patriotic move.

The details of this colonization plan are being worked out just now, and when I tell you that it involves the preparation of perhaps as many as a thousand farms in Western Canada for occupation next spring, you may realize the size of our undertaking. Our duty, however, demands that this great it deserves. One of the most serious problems facing Canada today is the matter of handling the hundreds of thousands returned soldiers after the close of the war. Their military service will have unsettled and unfitted many of them for a return to ordinary clerical and sedentary life and something will have to be done to enable them to obtain outside employment. The problem is further complicated by the fact that, without doubt, a very large number of men, who will be mustered out from the British army, will want to emigrate to the overseas dominions, and provision must be made to properly take care of them and colonize them in suitable employment. The problem is one of such magnitude that it must be faced and solved by the Dominion Government, but the Provincial Governments and the large Canadian corporations must also do their part.

"Realizing that the necessity must be met, and desiring to take its share of the burden of trying to solve this problem and assist the men who have fought the battles of the Empire, the Canadian Pacific Railway Company has decided to establish in Western Canada colonies, which for the moment we are calling Returned Veterans' Colonies, where men who wish to go in for farming can obtain improved farms on terms which will, in time, enable them to become land owners and create homes for themselves and their families. These colonies will be given distinctive names, probably with military associations, and will contain a sufficient number of families in each to ensure social, school and church facilities, and in each case will include a central instructive farm, under a competent agriculturist, so that advice and instruction may be available for the colonists.

Our experience in connection with the Ready-Made Farms has been invaluable, and will enable us to avoid mistake which are inevitable to new undertakings.

I commend the action of the Canadian Pacific railway as being most patriotic, and I suppose all that will tend to draw the ex-service men to the farm will be a most welcome thing indeed for Canada.

Hon. Mr. BOSTOCK moved the adjournment of the debate.

The motion was agreed to.

RECRUITING IN CANADA.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the postponed debate on the motion of the Hon. Mr. Mason:

That an Order of the Senate do issue for a return showing the number of men recruited up to the first day of March, 1916.

Hon. Mr. CHOQUETTE—I did not intend to move the adjournment of the debate last night in order to make a speech, or to answer the remarks made by the hon. gentleman from Toronto, but simply to read his remarks and see what was in them, because I did not catch them as he spoke. In looking over these remarks I find they are just a recapitulation from statistics, collected from papers, not only in this country but from other countries beyond the seas, referring specially to Lord Derby's scheme of recruiting. I do not intend to go over his remarks, but I just desire to put a ques-

tion. It appears that these remarks have been compiled by somebody and put in his hands for publication in order to affect public sentiment in the matter. I asked him if he had consulted the Government about the matter, or if his remarks were in answer to what has been said in Montreal by Lord Shaughnessy. Naturally he did not like to answer, and I feel today of the same mind in regard to asking some questions of the Government. I should like to know if the Government has put that question in this House as a kind of feeler.

Hon. Mr. LOUGHEED—The hon. gentleman has no right to ascribe any such motive to the Government as placing a matter of this kind in the hands of the speaker. He is not justified in making such an insinuation, and no one knows better than my hon. friend that that is not the case.

Hon. Mr. CHOQUETTE—I just put the question.

Hon. Mr. LOUGHEED—The hon. gentleman has no right to put it.

Hon. Mr. CHOQUETTE—I feel anxious to know if the Government had some knowledge of the speech delivered by the hon. gentleman and if it had been inspired by some members of the Government as a kind of feeler to the country. I put the straight question, that is all. I asked further was it put in his hands in answer to Lord Shaughnessy's speech. That is a straight question: there is no insinuation in that.

Hon. Mr. LOUGHEED—The hon. gentleman does not know what the insinuation is.

Hon. Mr. CHOQUETTE—But I have a right to put a simple question to the Government, and I shall use the right. Now coming to the question of recruiting, I just wish to refer to my position on this question. When I spoke in the debate some days ago in this House the public press, especially in Ontario, accused me of having taken a stand unworthy of Canada. I telegraphed back to the Toronto Telegram, offering to come to Toronto and repeat what I had said in order to enlighten them if they were too ignorant to know what was going on in this House, or if thed not taken the trouble to read the speeches before abusing the man who made them. The offer was not accepted. I telegraphed to the Toronto Telegram, "If you wish to call a meeting in Toronto, I will go and attend and read my speech there, if not, shut up." They have shut up, and I have never heard from them and they have ceased abusing me. I spoke in the debate that took place in this House as follows:

> I shall never try to persuade any man not to enlist or not to go to the war. If a man told me he wished to go to the war, I would shake hands with him and say, "bravo," but I would not advise others to go to war without going myself or sending those who are near to me.

And why? Because in this very land of ours every man is supposed to be free to do as he likes. If he wants to go to war he can do so, and I shall congratulate him if he enlists. But the country has done its share so far. I have nothing to say to that. I also said in that debate:

> But if the majority of the people of this country are willing to accept such a policy I have not a word to say. If they are willing to spend more money and sacrifice more lives to continue the war well and good.

I was abused for that. The Deputy Minister of Agriculture, Mr. James, said to the recruiting agents, "Don't go to the country, to the farmers; stop that, we want them." We go to Montreal and we hear Baron Shaughnessy saying, before a meeting of public men, "Stop, you have gone far enough for the present." Well, he was abused, too. But what do those Montreal papers say? The yellow paper, the Daily Mail, compared Lord Shaughnessy to the Nationalists in Quebec. I specially ask permission of this House for a few minutes to protest against what is going on in Toronto to prevent recruiting there. I have in my mind a speech delivered by a fanatic in Toronto, the Rev. Mr. Hincks, chairman of the Central Methodist District, Toronto. I never heard of a man supposed to be employed to preach charity, peace, and honesty, going to public meetings, and using such beastly words as he has used about recruiting and about the province of Quebec. I would not say more of him. Like every one of his class, he ought to be despised, and I am glad to find in the province of Quebec Englishmen who denounce him. I am glad to read in answer to him an article in the Montreal Star of the day before yesterday entitled "Ontario and the Empire," and I quote it here in order to show what kind of men we have to

fight. What does the Montreal Star say? It says:

Ontario and the Empire.

A Toronto clergyman quotes the recruiting figures from Quebec province as evidence against the bilingual system. His proposition should be reversed. Had not the Government of Ontario, by unjustly and ungenerously sweeping away French-Canadian school privileges, created a strong and deep-seated sense of grievance among the majority of this province, there would have been no ground for complaint over Quebec's recruiting.

"Efficinecy" — "one language" — "common ideals." Good slogans, all of them. But the British Empire has found a better. The Prussian in Alsace-Lorraine, in Schleswig, and in all her colonies operates on the stern logic of one-language efficiency: and Prussian conquest and colonization alike have failed. Lorraine is still French; Schleswig is still Danish, and there is no hatred among men such as theirs for the Prussian. But South Africa is loyally British.

Would the Boers of South Africa be fighting Britain's battles to-day had Britain applied Ontario's one-language gospel? How long would the British flag fly over India and the islands of the sea under a "compulsory efficiency" government?

"Freedom and fair-play" that has been Britain's sign and countersign of Empire; and any section of the Empire that fails to answer in kind may be suspected of disloyalty to the British Imperial ideal. The new Ontario school system may be correct legally; may seem right from the narrow standpoint of theoretical efficiency; but that it is wrong imperially no better evidence is needed than the deep sense of national and personal wrong which is unquestionably felt by the whole French-Canadian population of this province—a feeling from which the English-speaking minority, knowing what fair treatment means, cannot withhold their sympathy.

Ontario cannot complain about French-Canadians recruiting. We know that in Montreal there are two or three French-Canadian battalions being organized, and they are doing pretty well. They are satisfied there with the recruiting. Who are complaining of their fellow-citizens? It is the English people. Here is another report from a Montreal paper, as follows:

City's Record "Simply Rotten."

Plain Talk by Lt.Col Magee at His Majesty's Last Night.

No Patriotism to Stir.

Striking Scenes at Production of "The Story of the Rosary," aided by Men of 148th.

"You are told that Montreal's record for recruiting is wonderful. I tell you Montreal's record is simply rotten," said Lt.-Col. Magee at His Majesty's Theatre last night, in a stirring speech after the second act of "The Story of the Rosary."

"Recruiting is poor here as compared with other places in Canada," continued Lt.-Col Magee. "Canada has sent no finer men than those who went from Montreal with the first contingent, as the records of the war show. But how can you say our record is good when we have such hard work to build up new battalions while the streets are full of men fit for service? Fence off a block on St. Catherine street and you would have a battalion. Go to Fletcher's Field and you could collect a brigade of young men going in for all kinds of sports.

"There are lots of men, and they are not slackers, nor are they afraid. But something is needed to make them understand their duty. They do not understand that this is a time when sacrifices must be made. They do not understand what sacrifices men are making. I had one man apply to the 148th, and I asked him if he knew any men in the battalion. He replied that the only man he knew was his own son. Another man is with us who has three sons in the service.

"That is the position. We have these men with heavy responsibilities counting up their possibilities, and enlisting to do their duty, and we have these thousands of men with no responsibilities who will not go. We need men in the 148th. So do the other battalions recruiting here, and we need them right away.

"We have tried to stir up the patriotism of Montreal," declared Lt.-Col. Magee, "but it seems as though we must give it up because there is nothing left to stir. But we are going to keep on and get the recruits. We want 491 more men in the 148th, and we are going to get them."

Who is this Col. Magee, speaking in Montreal, in the district mentioned where the residents are English people? The young sports of Montreal, football players, baseball sports, etc., are those complained of. Here is a further despatch, abusing Quebec, from Stratford, Ont. It reads as follows:

Stratford, Ont., July 23.—Of the 101 recruits so far signed up here for the fourth Canadian contingent, but 21 are Canadian born. Over fifty per cent of the men are natives of England.

I see in the Journal, Ottawa, of the 14th March, a despatch from Toronto, which reads as follows:

Toronto, March 14.—Out of four hundred men volunteering yesterday only 191 were accepted as medically fit.

What does it mean? Not fifty per cent of Toronto or Ontario men fit for service. What is the reason? Why are men rejected for service? Is it drunkenness, imbecility, bad habits, or what? Do you mean to tell me that in 400 men in Toronto only 191 were fit for duty? What are the others good for? Are they simulating sickness, simulating drunkenness, or are they really silly, imbecile and drunk? I have telegraphed to the Colonel at Quebec to get the percentage of recruits rejected in Quebec province. I am awaiting the answer, which I have asked him to give me officially, if possible. According to my information I do not think there is more than 20 per cent unfit for service in Que-

bec, and those rejected are not considered strong enough for active service. Many of them are willing, and if they were a little older would be fit for service, but in the puritan city of Toronto we see less than 50 per cent are fit for duty. We do not see Mr. Hincks, or the Toronto Telegram, or the yellow papers abusing these slackers. I had not intended to speak on this question, but hold it my duty to speak out when a gentleman from Toronto complains of small recruiting all over the Dominion. His first duty should be to call a meeting in Toronto and make his charges, and I ask the Government if they cannot give me the reason why more than 50 per cent of men offering to enlist in Toronto are rejected. Are they simulating sickness, or are they too cowardly to go to the front? I say that it is impossible, even in Puritan Toronto, that over 50 per cent of their children are unfit for duty; are they granting exemptions which would not be given in Quebec? I felt it my duty to profit by the occasion to make these remarks. I shall refer once more to what Rev. Mr. Hincks said in Toronto. He closed his remarks by saying:

"It seems clear that Quebec is consciously or unconsciously holding.

How far these people intend going in their efforts to violate the law is inferred by the actions of the Quebec Legislature in permitting the collection of an immense fund to enable the advocates of bilingualism to carry on their campaign in Ontario, to carry on their compaign in Ontario declared Dr. Hincks, who added that the crisis of war is testing the Empire to its very depths. It is just as a warning to the other provinces of the Dominion.

He must be a fool or a fanatic. I answer him by stating what Quebec is doing, and I read an article from the Montreal Star reproducing an article from the Toronto Globe. This article is headed, "Quebec a model for other provinces." It reads as follows:

Quebec a Model for Other Provinces.

Garnet O'Connor, of Bridgeburg, Ont. writing to the Toronto Globe, recalls the fact that the charges which a Presbyterian minister made against Quebec when preaching in the country of Bruce some years ago set me investigating the standing of Ontario and Quebec in crime, drink and school attendance. I found, from Government reports, that Quebec, compared with our province, showed the least crime, least drink consumed, and greatest average attendance of children at school. From the public school reports for 1913-14 I find that the average attendance in Ontario public schools was 63.78 per cent while 65.99 per cent attended the separate schools. In Quebec the average attendance was 75.25 per cent at the Catholic schools and 75.68 per cent at the Protestant separate schools. The Year Book, issued by Hon. Mr. Foster for 1913, shows the ratio of convictions per 10,000 inhabitants in Quebec to be 10.2, while it is 23.4 in Ontario. Work in the cause of temperance has brought me the knowledge that Quebec has the largest number of "dry" municipalities of Canada's largest provinces. Therefore, lest others should innocently or otherwise, bear false witness, I ask you to give the fine showing made by "model Quebec."

Hon. Mr. McSWEENEY—Convictions you say.

Hon. Mr. CHOQUETTE—In every thousand inhabitants the convictions were only 10.2 for Quebec, while in Ontario it was 23.4. I am taking all these things from official books issued by this Government and the Provincial Government, and the newspapers. I do not cite one French paper, and in the name of my province I thank these Englishmen who have been honest enough, who are intelligent enough, and fair-minded enough, to put the truth and the whole truth before the public, and I hope the lesson the people are receiving from this report will be a benefit not only to this House, but to the country at large.

Hon. Mr. SPROULE moved the adjournment of the debate.

The motion was agreed to.

BANK ACT UNCLAIMED BALANCES BILL.

RULED OUT.

The Order of the Day being called:

Resuming the debate on the second reading Bill S, "An Act to amend the Bank Act as regards unclaimed balances," and the point of order raised by the Hon. Mr. Lougheed, etc.—Hon. Mr. Choquette.

The SPEAKER—I think we decided yesterday that the point of order was well taken. All Bills, the objects of which are to raise money, whether by way of loan or otherwise, or to warrant the expenditure of any portion of the same, are held to be money Bills. That is the definition of the best authors.

Hon. Mr. CHOQUETTE—I bow to the decision of the Speaker. Does the Government intend to take up the matter?

Hon. Mr. LOUGHEED—No.

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

THE SENATE.

Friday, March 17, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayer and routine proceedings.

CONFERENCE BETWEEN THE GOVERNMENTS OF THE ALLIES.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Have any steps been taken to lay before the British Government the views of the Dominion Government as to the way in which the commercial interests of the Dominion should be preserved at the Conference which it has been stated is about to be held in Paris to consider commercial arrangements to be made between the Governments of the Allies?

2. Has any understanding been arrived at as to the manner in which the Canadian Government will be represented in any negotiations which may take place as a result of this Conference?

Hon. Mr. LOUGHEED—The answers are:

No. 1. No.

No. 2. If as the result of the conference any action should be contemplated no steps will be taken without full consultation with the Dominion.

My hon. friend is probably aware of the cablegram which came from the Colonial Secretary on the subject?

Hon. Mr. BOSTOCK—No, I am not.

Hon. Mr. LOUGHEED—I thought it was in view of that, possibly, my hon. friend made his inquiry.

Hon. Mr. BOSTOCK—I have had no intimation of it.

Hon. Mr. LOUGHEED—It is as follows:

From the Colonial Secretary to the Governor General.

London, March 15, 1916.

March 15.—An Economic Conference of the Allies is to be held at Paris on the invitation of the Government of France. The representatives of this country, and I presume of the other Allied Governments will attend, so far as arrangements after the war are concerned, for the purpose of discussion only, and this Government will not be committed in any way in regard to trade after the war. If as the result of the conference any action should be contemplated no steps will be taken without full consultation with the Dominion.

(Sgd.) Bonar Law.

INDEPENDENCE OF PARLIAMENT.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. If the Government is aware that in the British Parliament, when the Prime Minister calls any person to his Cabinet to act as Adviser of the Crown, the practice is, that such person must relinquish all office, interests and rights, held by him in any corporation, company or concern having business relations with the Government?

2. If the Government is not aware of this practice, will it take immediate steps to ascertain the facts and communicate them to Parliament without delay?

3. Is it a fact that the present Acting Minister of Militia (Hon. A. E. Kemp, M.P., of Toronto), holds office, rights and interests in corporations, companies or concerns having business relations with the Government?

4. If such be the fact, is it the intention of the Prime Minister, Sir R. L. Borden, to retain the services of the Hon. A. E. Kemp in his Cabinet as an Adviser of the Crown?

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

1. The Government is not affected by the procedure or practice of the British Parliament, the Parliament of Canada having a procedure and practice of its own.

2. Answered by No. 1.

3. If the Acting Minister of Militia holds office, rights and interests in corporations, companies or concerns having business relations with the Government, such business relations, if any, are not precluded by the independence of Parliament Act.

4. Answered by the preceding answer.

Hon. Mr. CLORAN—So we are not to be governed by English precedent; that will be a good thing for this House to remember.

BILLS INTRODUCED.

Bill (Y), An Act to incorporate the Imperial Order of the Daughters of the Empire.—Hon. Mr. Edwards.

Bill (Z), An Act for the relief of Charles William Wilson.—Hon. Mr. Talbot.

THE GAULT DIVORCE CASE.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—I should like a ruling from the Speaker in connection with the procedure of this House in connection with the Gault divorce case, because the question may come up later. When this honourable House sends a Bill to a standing committee, that committee is supposed to act upon the Bill and report upon it to this House, which ultimately has to pass final judgment on the Bill. When evidence is

taken under oath and is supposed to be printed, forming a part of the findings of that committee, can this House take action on a Bill without the evidence relating to it being brought before the House? In one case the committee report that the Bill has been rejected.

The SPEAKER—If I understand the hon. gentleman wants to raise a question of order.

Hon. Mr. CLORAN—No, I want a ruling.

The SPEAKER—That will come up on the consideration of the report which is on the Order Paper. It will be time enough to raise and discuss the question when it is reached.

ESCAPE OF PRISONERS FROM DETENTION CAMPS.

A QUESTION OF PRIVILEGE.

Hon. Mr. GIRROIR—Before the Orders of the Day are called, I wish, on behalf of Col. Morris, who had charge of the camp at Amherst when the escape of prisoners took place, to make a statement. I do not wish to refer to the recent debate on the subject in this House, as under our rules I am not permitted to do so. When the papers are brought down later on, it may be desirable to go into the matter very fully. I need only say that most serious charges have been publicly made and heralded throughout this country in the press against an officer in charge of a very important office. If they are allowed to go unanswered they will do a great injury to the reputation of a man whom I believe to be an honourable and competent officer. The hon. member for Victoria Division (Hon. Mr. Cloran) in the debate which took place a few days ago upon his motion for papers in connection with this matter, stated that Germans had escaped from the detention camp at Amherst and that they were allowed and encouraged to escape by the commanding officer in charge of that camp. As he says, that is a grave and serious charge. Col. Morris is a British officer who has had considerable experience—

Hon. Mr. POWER—I rise to a question of order. I hold that Col. Morris, who, as far as we are concerned, is a private person, and not connected with either House of Parliament, cannot bring his case before us in the way the hon. gentleman has undertaken to do. It is not a question of privilege, and not being a question of privilege, it cannot come up except upon proper notice. The hon. gentleman has no right, as I take it, to bring it up in this way without notice.

Hon. Mr. CLORAN—We want a ruling.

Hon. Mr. GIRROIR—I am arguing a point of order. The matter, as I understand it, is one of very great public interest—that an officer in the militia of this country, holding an important office, should be publicely charged with what might, to say the least of it, be a crime.

Hon. Mr. CLORAN—Might be! It is.

Hon. Mr. GIRROIR—It is a matter of public importance and of sufficient gravity to claim consideration before the Orders of the Day are called. I am prepared, at the close of my remarks, to move the adjournment of the House if necessary in order to bring this matter properly before the House. I am not as conversant with the rules of the Senate as I should be, perhaps, but I think I am within my rights in discussing the matter in the way I have followed. I ask the ruling of the Chair.

The SPEAKER—If we read clause 25 of our rules we find this:

> No notice is required for any of the following motions:
>
> For the adjournment of the Senate for the purpose of bringing up a question of urgent public importance (which the mover shall state on rising to speak) before the House proceeds to the Orders of the Day.

If the hon. gentleman wants to move the adjournment of the Senate for the purpose of bringing up a question of public importance, then the House may permit him to go on.

Hon. Mr. ROSS (Middleton)—I beg to move, seconded by Hon. Mr. Taylor, that the hon. member from Antigonish be now heard.

Several hon. GENTLEMEN—No, no; order, order!

Hon. Mr. POWER—The hon. gentleman cannot get over the rule of the House that way. This case may be a matter of some importance to Col. Morris, but it is not a matter of urgent public importance, and it is only in cases of urgent public importance that a member has the right to move the adjournment of the House without notice.

Hon. Mr. CLORAN—I would point out also, in regard to this matter, to satisfy the conscience of the hon. senator from Nova Scotia, that Col. Morris was never mentioned by me. It is true I used the word "commanding officer" in laying before this House and the country the condition of things applicable—

Several hon. GENTLEMEN—Order, order!

The SPEAKER—The hon. gentleman may discuss the point of order that has arisen under rule 25, but he cannot go into the merits of the question.

Hon. Mr. CLORAN—I do not want to go into the merits of the question.

The SPEAKER—The point is this: no notice is required for a notice of adjournment for the purpose of bringing up a question of urgent public importance. The question that arises is whether that is a question of urgent public importance?

Hon. Mr. CLORAN—I contend it is not.

Hon. Mr. McSWEENEY—Let the Speaker say.

The SPEAKER—I am putting the question as I understand it. If it is proved that this is a question of urgent public importance, the hon. gentleman has a right to go on.

Hon. Mr. POIRIER—It is urgent; it has been brought up here.

The SPEAKER—I would not consider that evidence of urgency. Things are sometimes brought up here that are not very urgent.

Hon. Mr. LOUGHEED—This question relates to the character and conduct of Col. Morris, but I understood my hon. friend from Victoria division (Hon. Mr. Cloran) to say that Col. Morris had been court-martialled and shot.

Hon. Mr. CLORAN—I have to say that there is no urgency about the matter.

Several hon. GENTLEMEN—Order, order!

Hon. Mr. CLORAN—The Speaker just asked us to say if the question was one of urgency.

The SPEAKER—I never asked you to prove that the question was not urgent; I asked for proof that the question is urgent.

Hon. Mr. CLORAN—Well, I am going to prove that it is not urgent.

The SPEAKER—But I do not want that.

Hon. Mr. CLORAN—What do you want?

The SPEAKER—I want it proved that it is urgent.

Hon. Mr. CLORAN—It is very urgent that it should not be discussed.

Several hon. GENTLEMEN—Order, order!

Hon. Mr. POWER—I do not yet know what His Honour the Speaker has ruled. Does His Honour rule that this is a matter of urgent public importance?

The SPEAKER—No, not yet.

Hon. Mr. POWER—It is the duty of the Speaker of this House to keep order, and if a question of order is raised, to decide the question.

The SPEAKER—Yes, it is my duty to do so, and that duty I shall do without being requested by any one, even by an ex-Speaker. To my mind the question is not urgent. Now you may reverse my decision.

Hon. Mr. CLORAN—Correct.

BILLS INTRODUCED.

Bill No. 26, An Act to enable the Corporation of the City of Brantford to hold and operate the Grand Valley Railway.—Hon. Mr. McCall.

Bill No. 23, An Act to amend the Bank Act.—Hon. Mr. Lougheed.

Bill No. 34, An Act to authorize certain extensions of time to Insurance Companies. —Hon. Mr. Lougheed.

ATLIN RAILWAY COMPANY BILL.

THIRD READING POSTPONED.

Hon. Mr. DERBYSHIRE moved the third reading of Bill (L), An Act respecting the Atlin Railway Company.

Hon. Mr. WATSON—I should like to move in amendment to insert the exact description in the Bill, which I understand the House of Commons insists on being done.

Hon. Mr. POWER—The hon. gentleman cannot move to amend a private Bill at the third reading without giving notice, and the better way is to postpone the third reading.

Hon. Mr. WATSON—Then I move that the Bill be not now read the third time, but that it be read a third time on Wednesday next.

The motion was agreed to.

THIRD READINGS.

Bill No. 3, An Act respecting The Burrard Inlet Tunnel and Bridge Company.—Hon. Mr. Bostock.

Bill No. 5, An Act respecting The Canadian Northern Ontario Railway Company.—Hon. Mr. Watson.

Bill No. 7, An Act respecting The Farnham and Granby Railway Company of Canada.—Hon. Mr. Lavergne.

Bill No. 9, An Act respecting The Peace River Tramway and Navigation Company.—Hon. Mr. Bostock.

Bill No. 13, An Act respecting The Canadian Pacific Railway Company.—Hon. Mr. Watson.

Bill No. 15, An Act respecting The Pacific Northern and Omineca Railway Company.—Hon. Mr. Watson.

GAULT DIVORCE CASE.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. ROSS (Middleton) moved the adoption of the twenty-fourth report of the Standing Committee on Divorce, to whom was referred the petition of Andrew Hamilton Gault, together with the evidence taken before the said committee.

Hon. Mr. CLORAN—I should like to know what we are going to concur in. I have no evidence on which to base my judgment.

Hon. Mr. ROSS (Middleton)—The Divorce Committee have followed the usual practice and reported to the House and laid on the Table all the exhibits and evidence. It is for the House to say whether the evidence shall be printed or not. The committee are done with it for the present; they have returned the evidence to the House with their report.

Hon. Mr. CLORAN—I know where I stand and where all other hon. members stand. We are asked to pass judgment on a case without evidence. The chairman tells us it is on the Table, but the table is not in our possession. Eighty-six members cannot have that copy at one and the same time. It will take a whole session to pass it around from one to the other. Why not print the evidence in this as in other cases? How can hon. gentlemen pass judgment on a matter of vital importance of which they know absolutely nothing? It would take me a day or two to ponder over that evidence, and the same with the other eighty-five members of the House. I have no interest in the matter, but I should like to know where we stand. Can this honourable House be called upon to pass judgment without the evidence being placed in the hands of each individual member?

Hon. Mr. POWER—The hon. gentleman is raising a question of order. He takes the view that we cannot, proceeding in the ordinary way, consider this report now, and on that he asks the ruling of the Speaker. I think the uniform practice of the House up to the present time has been that when the committee do not find in favour of granting the divorce the evidence is not printed. The printing of the evidence is a matter of some cost. Generally the evidence, when printed, is not particularly edifying in its character, and when the papers are on the table of the House any hon. gentleman who wishes to look at them can see them. There is no reason why we should, contrary to the practice of the House, spend good money in having a document printed. After all, the printing is a mere matter of convenience. We might do business without any printing. A great many Houses do.

Hon. Mr. CLORAN—I cannot agree with the hon. gentleman with reference to this matter—not that I want the evidence, I do not read these cases. The point I want the Speaker to decide is this: Can the committee act in one way in one case and in another way in another case? Now, the ex-Speaker tells us that when a committee make a recommendation—take the Divorce Committee—the House accepts that recommendation, or must.

Hon. Sir MACKENZIE BOWELL—I fully concur in the remark made by the hon. gentleman from Halifax, that the hon. gentleman might save all the discussion by moving that the evidence in this case be printed.

Hon. Mr. CLORAN—I do not want the evidence in that case more than any other; all I want is a ruling; I want to know where I stand. This committee rejects the petition. We have no evidence whether that committee acted unanimously or whether it was a majority vote. The ex-Speaker tells us the evidence in the case is at the disposal of the House, but it is childish to put a copy on the Table and expect 86 men to read it during the next 24 hours.

Hon. Sir MACKENZIE BOWELL—I suggest how the hon. gentleman can get the evidence.

Hon. Mr. CLORAN—I tell you that personally I do not want the evidence; what I want to know is if this thing can go on and if the same thing can be done in connection with the reports of other committees. This House has power over the committees. We want to know on what grounds the committee acted. I want a ruling, I don't want the evidence printed.

The SPEAKER—On the question of order I rule this: I do not see that there is any necessity to print that document. The document is on the table of the House with the report and everybody has the right to read that report.

Hon. Mr. CLORAN—We all know that.

The SPEAKER—There is another way; if the House desires to have that evidence printed, any member may move to have it printed.

Hon. Mr. CLORAN—I do not want it; I simply want a ruling.

Hon. Mr. MURPHY—Could you not get around it in another way? Move to defer consideration until members of the House have time to read it, and thus prevent its being printed.

The SPEAKER—The motion before the House is the same thing in effect; either would postpone it to another session.

Hon. Mr. MURPHY—I do not think so, for in the one case you have the document printed and thus give the opportunity of scattering it to the public; in the other case you allow a week or ten days and give opportunity to every member to read it who wants to read it, and keep it from the public.

The SPEAKER—I am not called to decide that.

Hon. Sir MACKENZIE BOWELL—No no; go on with the next order.

Hon. Mr. LOUGHEED—I might add to what my hon. friend from Halifax said, that it has been almost invariably the practice, although I do not say there has been no exception, for promoters of Bills of this kind, where there has been an adverse report, to withdraw the Bill and hence dispense with the necessity of printing the evidence.

Hon. Mr. CLORAN—Has that been done in this case?

Hon. Mr. LOUGHEED—Not yet.

Hon. Sir MACKENZIE BOWELL.

Hon. Mr. CLORAN—Then I suggest that Mr. Gault be given a chance to withdraw the Bill.

Hon. Mr. LOUGHEED—He has that opportunity. There is no Bill.

Hon. Mr. CLORAN—The petition.

Hon. Mr. LOUGHEED—The application.

Hon. Mr. CLORAN—I do not see why flesh should be made of one and fish of the other.

The SPEAKER—The only question before the Chair is the adoption of the report. Is the report adopted?

The motion was agreed to, and the report adopted.

SECOND READING.

Bill (V), An Act for the relief of Clarice Smith.—Hon. Mr. Derbyshire.

WHITE PHOSPHORUS MATCHES ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill 37, An Act to amend the White Phosphorus Matches Act.

(In the Committee.)

On clause 1:

Hon. Mr. BOSTOCK—The first part of the amending clause says:

13. This Act shall come into force on the first day of January, one thousand nine hundred and fifteen, except section five thereof, which shall not come into force until the first day of July, one thousand nine hundred and sixteen.

And the second part says that it—

shall not come into force until the first day of January, one thousand nine hundred and seventeen.

Does the first part refer to the sale of matches, and the second part to their use? Does the first part allow them to sell matches up to the 1st July, 1916, and the second part allow people to use them?

Hon. Mr. LOUGHEED—This is the explanation furnished by the Parliamentary counsel, Mr. Gisborne:

Under the existing Act (1914, c. 12) the manufacture, importation, sale and use of matches manufactured with white phosphorus was forbidden. The prohibition with respect to the first two, manufacture and importation, were forbidden from the first of January, 1915. The second two, sale and use, were forbidden from the first of January, 1916.

Hon. Mr. BOSTOCK—That is, the sale and use were forbidden from the 1st January, 1916?

Hon. Mr. LOUGHEED—Yes, it was divided into two sections, viz.: the manufacture and importation, and then the sale and use. Now, the second two, sale and use, were forbidden from the 1st January, 1916. The Bill is to extend the time within which white phosphorus matches may be sold and used. The time is extended to the first day of January, 1917, and the Bill is to be retroactive, so as to prevent prosecutions during the period between the first of January, 1916, and the present time. It appears that there are considerable stocks of white phosphorus matches still in the country, and it is to prevent dealers and shop-keepers from suffering loss. The manufacture and importation have already been stopped.

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

CONCURRENCE IN ORDERS IN COUNCIL.

(In Committee.)

Hon. Mr. BELCOURT—Could my hon. friend the leader of the House tell me if he has brought down particulars of those Orders in Council that were approved yesterday?

Hon. Mr. LOUGHEED—My hon. friend's question referred to item 10 of motion No. 4 that appeared on the Order Paper yesterday, and concerned the Privy Council Order No. 1253 which was as follows:

(10) Order in Council, P.C. No. 1253, dated 1st June, 1915, ratifying certain Orders in Council, passed subsequently to the prorogation of Parliament in 1914, in connection with which the concurrence of both Houses of Parliament was not obtained owing to the resolution being overlooked during the press of business in the House of Commons at the end of the season of 1915.

The explanation is that some 15 Orders in Council should have last year received the concurrence of both branches of Parliament. Strange to say, the concurrence of the Senate was obtained with respect to all those orders, but through some oversight the concurrence of the House of Commons was not obtained. They relate to regulations which are required by the statute to receive the concurrence of both Houses. Consequently the regulations have been re-enacted and the concurrence of both Houses is now being sought.

Hon. Mr. BELCOURT—To what do they relate?

Hon. Mr. LOUGHEED—They relate to Dominion lands, and cover grazing regulations, mining leases and various other matters.

Hon. Mr. BELCOURT—All Dominion regulations?

Hon. Mr. LOUGHEED—All regulations under the Dominion Lands Act.

BILL INTRODUCED.

Bill No. A-2, An Act for the Relief of Aimee Rita Elliott.—Hon. Mr. Derbyshire.

The Senate adjourned until Tuesday, the 21st instant, at 8 o'clock p.m.

THE SENATE.

Tuesday, March 21, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

THE STANDARD OIL COMPANY IN CANADA.

NOTICE OF INQUIRY.

Hon. Mr. DAVIS—I call the attention of the Government to the following notice of inquiry, which I shall ask the Government to answer to-morrow:

That he will call attention of the Government to the following clauses from a memo, sent to the members of this House and signed by Mr. O'Farrell:

"The Government of Ontario is a Government inspired and controlled by Standard Oil. The Provincial Secretary for Ontario is the pliant and potent servant of Standard Oil. From that concern he receives a munificent income and its interests are his interests, its power his power, its aims his aims, and he has untold millions at his disposal to see that the Parliament at Toronto and the Dominion Parliament at Ottawa are subservient to the views and wishes of the great Standard Oil Corporation. Your Government ought not to be ignorant of the relations between the Ontario Government and the Ontario Government railways and the Standard Oil Company. Nominally, Hon. W. J. Hanna, Mr. I. L. Englehart, and Mr. Wallace Nesbitt are trustees for the Imperial Oil Company, but the Imperial Oil Company is a mere selling agency for Standard Oil. It is a wheel within a wheel of a great Standard Oil Juggernaut, and the sole business of Imperial Oil is to hide the activities and the profits and the

machinations of the great oil trust in its nefarious designs against Canada and the Canadian people.

"In a case that came before Sir Henry Drayton on the 9th of February in Ottawa, Hon. W. J. Hanna, Provincial Secretary for Ontario, Mr. I. L. Englehart and the Standard Oil, were caught in an attempt to establish cut-throat traffic rates on the Temiskaming and Northern Ontario railway, for the benefit of Standard Oil. The regular rate for carrying 5,000 tons of fabricated steel from Toronto to Regina is $86,000. It was disclosed by Hon. W. J. Hanna at a hearing before Sir Henry Drayton that the Temiskaming and Northern Ontario railway, and the National Transcontinental railway had agreed to carry this 5,000 tons shipment of steel from Toronto to Regina for $58,000. Although the regular rate from Toronto to Regina was $86,000, Standard Oil could get its shipment from Toronto to Regina for $28,000, less than Canadian merchants or manufacturers. These facts show the alliance between the Ontario Government, the Ontario Government railways, the National Transcontinental railway, and the Standard Oil."

And will inquire if the Government intend to take any action on same.

Now, that has been scattered broadcast throughout the country and I shall to-morrow ask what the leader of the House has to say about it?

Hon. Mr. LOUGHEED—I can answer my hon. friend now by saying that this Government is in no way responsible for statements that Mr. O'Farrell may make.

Hon. Mr. DAVIS—The courts are open, and if Mr. O'Farrell said anything of the same nature about me, I would take steps to protect my good name.

Hon. Mr. CLORAN—But suppose Mr. O'Farrell said what is true?

The SPEAKER—I call the hon. gentleman to order.

Hon. Mr. CLORAN—That is right; the discussion should have been stopped before.

RECRUITING STAFF IN NOVA SCOTIA.

INQUIRY POSTPONED.

The Notice of Inquiry being called:

Hon. Mr. CLORAN will inquire:

1. The number of the staff employed for recruiting purposes in Nova Scotia, rank of each officer, non-commissioned officer and rank and file, and daily pay of each?
2. And in New Brunswick?
3. And in Prince Edward Island?
4. Are rations issued, or 70 cents per head in lieu thereof?
5. If subsistence allowance is granted, does it go to an officer to feed the men?
6. If the men are fed by contract, where does the difference go to?
7. Is the Government aware of, or had its attention called to the amount of 40 cents per man which has been paid under contract for subsistence and that the rank and file got no benefit from the balance of 30 cents?
8. If so, in what province?
9. In New Brunswick what system was adopted in regard to feeding the rank and file?

Hon. Mr. CLORAN—Is the hon. gentleman prepared to answer these questions?

Hon. Mr. LOUGHEED—Not yet; let it stand please.

Hon. Mr. CLORAN—Try and get a hustle on.

Hon. Mr. LOUGHEED—I shall call the attention of the department to the hon. gentleman's request.

ESCAPE OF PRISONERS FROM DETENTION CAMPS.

INQUIRY POSTPONED.

The Notice of Inquiry being called:

Hon. Mr. CLORAN will inquire:

1. If the Government is aware that escapes of alien enemy prisoners in the detention camps situated in the province of Alberta have been effected?
2. If the Government is aware that at the detention camp district in the Banff district under the command of Major Duncan Smart, until recently, alien enemy prisoners could obtain their liberation by the payment of a fee of $50 or more and by producing two affidavits as to character?
3. If the Government is not aware of this condition of things, will it take immediate and effective measures to ascertain the facts officially and communicate them to Parliament without delay?

Hon. Mr. CLORAN—Has the Government a reply to these questions?

Hon. Mr. LOUGHEED—Not yet.

Hon. Mr. CLORAN—It is of the utmost urgency and importance, and the people of the country want to have an answer at once, and no dilly-dallying with it. We are under fire and they want an answer from the Government.

The SPEAKER—Order.

CONTRACTS FOR MUNITIONS IN NEW BRUNSWICK.

INQUIRY POSTPONED.

The Notice of Inquiry being called:

Hon. Mr. CLORAN will inquire:

1. If any contracts or agreements were made in New Brunswick for the supply of shells or other munitions of war, or clothing or any other supplies of a military nature, and at what dates?

2. If so, who were the firms, manufacturers or others who obtained such orders, contracts or concessions?

3. What was the nature of such orders or contracts, quantities, prices and time for deliveries, etc.?

4. What were the prices on such shell orders, or other military material orders?

5. Did the York and Cotton Mills, of St. John N.B., directly or indirectly receive contracts for shells, and at what figures?

6. Did they hand over or sublet such order or orders to Messrs. Fleming & Co., Engineers and Iron Works, St. John, N.B., for a bonus of $5,000, and commission to be paid on work done?

7. Who is the manager of the York and Cornwall Cotton Mills, in St. John, N.B.? Was he individually or as agent authorized, or instructed to turn over such contract, and if so, by whom? Who are the proprietors, owners or lessees of these works?

8. What was the reason for the subletting of such contract to the Flemming Iron Works, of St. John, N.B., and the date of such transfer?

9. Did the Government authorize such transfer or are they aware of it?

10. Was the Prime Minister informed by Mr. Thomas representing Lloyd George that a contract for shells had been given to the York and Cornwall Cotton Mills and assigned or sublet to James Flemming, of St. John, N.B.?

Hon. Mr. CLORAN—Is the Government prepared with an answer to this?

Hon. Mr. LOUGHEED—Not yet.

Hon. Mr. CLORAN—When are you going to be ready?

Hon. Mr. LOUGHEED—I cannot say.

The SPEAKER—Order.

Hon. Mr. CLORAN—I do not want to be interrupted by the Chair. The Speaker has no right to interrupt me. I have a right to inquire when the Government will be ready to answer my question.

THE LIQUOR TRAFFIC.

MOTION.

Hon. Mr. BEIQUE moved:

That an humble address be presented to His Royal Highness the Governor General, praying His Royal Highness to have laid on the table of the Senate a statement giving the following information as regards each of the following countries: Great Britain, France, Russia, Italy, Belgium, Servia, the Dominion of Canada, Australia, New Zealand, and the Confederation of South Africa, for each of the last three years for which the information may be at hand, namely:

(a) the quantity and value of spirituous liquors produced or manufactured;

(b) the quantity and value imported;

(c) the quantity and value exported; and

(d) the quantity and value consumed, giving, in each case, the information for each kind of spirituous liquors separately.

The motion was agreed to.

BILLS INTRODUCED.

Bill No. 23, An Act to incorporate the Ontario and Niagara Connecting Bridge Company.—Hon. Mr. Davis.

Bill No. 25, An Act to incorporate the Western Canada Telephone Company.—Hon. Mr. Bostock.

Bill No. 28, An Act respecting the Kettle Valley Railway Company and Vancouver and Eastern Railway and Navigation Company.—Hon. Mr. Bostock.

A QUESTION OF PRIVILEGE.

The SPEAKER—Before the Orders of the Day are called I wish to make the following declaration as to a question of privilege: There is on the Order Paper for to-morrow a notice of motion which is to be submitted to this House. I consider it a direct attack upon me, based on the assumption that in a speech at a public meeting held in Ottawa on the 27th day of June last, His Honour the Speaker of the Senate made injurious and unjustifiable remarks about the members of the Senate. This motion is a sequence of the reading the other day of what was assumed to be a correct report of the speech delivered by me on the aforesaid date. When asked if the report was correct, I refused to answer immediately, because I claimed the right to have two days before being obliged to reply. My refusal to answer was taken, by the hon. gentleman who put the question, as an admission that the report was correct, though I then set forth that I was not refusing to give a definite answer but merely claiming my right to reply at the proper time. The motion now before the House positively assumes that His Honour the Speaker of the Senate made injurious remarks about the Senate. I might have the right to complain of the procedure followed in this case, but I shall not do so. Without further discussion I shall give immediately the reply expected by your honourable House. My answer is this: The translation of the remarks attributed to me which I have read in the Debates of this House, is not a correct report of my speech. If the translation is a good one—and I have no reason to believe it is not—then I may say that neither the French report nor the English translation renders the sentiments which I expressed in that speech. I have been incorrectly reported.

EXTENSION OF THE LIFE OF PARLIAMENT.

Hon. Mr. DAVIS—Before the Orders of the Day are called, I desire to ask the leader of the House a question. Some time ago this House passed a joint resolution of both Houses with reference to the extension of the life of Parliament. Has the Government ever had any reply since it was passed and forwarded to the proper authorities, or received any word with reference to it?

Hon. Mr. LOUGHEED—I really cannot answer my hon. friend with any degree of certainty. I understand it was forwarded to England for the purpose of the necessary legislation being enacted to give it the force of law. I shall be very glad to make further inquiry about it.

DELAYED RETURNS.

Hon. Mr. RATZ—Some time ago I moved for the return of papers in reference to the dismissal of one Chisholm, Indian agent. Can the hon. leader of the House say anything about that matter?

Hon. Mr. LOUGHEED—Yes, the return was brought down some time ago, and the hon. gentleman will find it on the table of the House.

THIRD READINGS.

Bill No. 10, An Act to incorporate Les Sœurs de l'Assomption de la Sainte-Vierge.—Hon. Mr. Dandurand.

Bill No. 18, An Act respecting W. C. Edwards and Company, Limited.—Hon. Mr. Watson.

Bill No. 19, An Act respecting a patent of James W. Owen.—Hon. Mr. Taylor.

Bill (V), An Act for the relief of Clarice Smith—Hon. Mr. Derbyshire.

Bill No. 37, An Act to amend The White Phosphorus Matches Act.—Hon. Mr. Lougheed.

Bill No. 55, An Act to amend the Winding-up Act.—Hon. Mr. Lougheed.

SECOND READINGS.

Bill (W), An Act for the relief of Arthur Alexander Reinhardt.—Hon. Mr. McCall.

Bill (X), An Act to incorporate the Manitoba and Saskatchewan Bible Society.—Hon. Mr. Watson.

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

The SPEAKER.

THE SENATE.

Wednesday, March 22, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

RECRUITING STAFF IN NOVA SCOTIA.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. The number of the staff employed for recruiting purposes in Nova Scotia, rank of each officer, non-commissioned officer and rank and file, and daily pay of each.
2. Also in New Brunswick?
3. And in Prince Edward Island?
4. Are rations issued, or 70 cents per head in lieu thereof?
5. If subsistence allowance is granted, does it go to an officer to feed the men?
6. If the men are fed by contract, where does the difference go to?
7. Is the Government aware of, or had its attention called to the amount of 40 cents per man which has been paid under contract for subsistence and that the rank and file got no benefit from the balance of 30 cents?
8. If so, in what provinces?
9. In New Brunswick what system was adopted in regard to feeding the rank and file?

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

1. Recruiting Officers and Deputies, Nova Scotia:

Chief recruiting officer, Major W. B. A. Ritchie, pay of rank $6.50 per day, appointed September 1, 1915.

Asst. chief rec. officer, M. B. Archibald, $3 per day, appointed September 27, 1915.

Stenog. chief rec. officer, Miss H. G. Pettis, $50 per month, appointed January 12, 1916.

Asst. stenog., chief rec. officer, Miss E. G. Sheppard, $10 per week, appointed December 3, 1915.

Orderly, Corp. Page, 66th Rgt. P.L.F. No pay, appointed October 23, 1915.

Spec. rec. officer, Lieut. F. W. Micklewright, $3 per day, appointed December 27, 1915.

Spec. rec. officer, Lieut.-Col. E. A. Potter, New Glasgow, $3 per day, appointed October 27, 1915

Spec. rec. officer, D. M. Burchell, Glace Bay, no pay, appointed January 17, 1916.

Halifax.

R. O. Lieut. D. M. Wiswell, Parade, $3 per day, appointed February 3, 1916.

R. O. Lieut. V. G. Rae, 85th O.B., C.E.F., Dartmouth, no pay, appointed March 1, 1916.

Dep. A. W. Shatford, Hubbards, no pay, appointed March 14, 1916.
Dep. Andrew Rutherford, Ingram Port, no pay, appointed March 14, 1916.
Assts. Sergt. Williams, 85th O.B., C.E.F., Dartmouth, no pay, appointed February 7, and taken on strength February 14.
Pte. J. T. Clancey, 85th O.B., C.E.F., Dartmouth, no pay, appointed March 1, 1916.
Pte. A. Moore, 85th O.B., C.E.F., Dartmouth, no pay, appointed March 1, 1916
Sergt. Anderson, Parade, $2.25 per day, less pension, appointed February 14.
Pte. E. J. Simm, 85th O.B., C.E.F., Forestry Batt., appointed February 26, 1916, office, no pay.
Pte. McIntaggart, 85th O.B., C.E.F., parade, no pay, appointed March 9, 1916.

Lunenburg.

R. O. Capt. O.G. Dauphinee, Bridgewater, no pay, appointed December 9, 1915.
Dep. E. D. Lordley, Chester, no pay, appointed November 15, 1915.
Lieut. J. W. Larder, 112th O.B., C.E.F., Lunenburg, no pay, appointed January 10, 1916.
Dep. Mr. F. W. Verge, Barss Corner, no pay, appointed March 14, 1916.

Queens.

R. O. D. C. Mulhall, Liverpool, no pay, appointed September 9, 1915.
Dep. H. L. Edwards, Caledonia, no pay, appointed December 18, 1915.

Shelburne.

R. O. G. W. McLean, Shelburne, no pay, appointed August 18, 1915.
Dep. R.O. Capt. R. W. Churchill, 112th O.B., C.E.F., Shelburne, no pay, appointed February 15, 1916.

Yarmouth.

R.O. Lieut.-Col. T. M. Seeley, 112th O.B., C.E.F., Yarmouth, no pay, appointed December 23, 1915.

Digby.

R.O. Sergt. Geo. W. Connell, Digby, $2.25 per day, appointed December 22, 1915.
Dep. Rev. H. Burgess, Weymouth, no pay.

Annapolis.

R.O. W. C. Parker, Lawrencetown, $3 per day temporarily while recruiting for Forestry Batt., appointed October 18, 1915.
Dep. A. P. Dodge, Middleton, no pay, appointed.
Dep. Dr. H. B. Barnhill, Hastings, no pay, appointed November 30, 1915.
Dep. G. A. Hawkesworth, Annapolis, no pay, appointed December 1, 1915.
Dep. Rev. E. Underwood, Bridgetown, no pay, appointed March 1, 1916.
Dep. Major M. S. Parker, 112th Overseas B., C.E.F., Middleton, no pay, appointed December 31, 1915.

Kings.

Lieut. J. D. Spidell, Kentville, no pay, appointed.
R.O. W. Marshall Black, Wolfville, no pay, appointed October 27, 1915.
Dep. W. T. Shupe, Kentville, no pay, appointed.
Dep. Dr. G. J. McNally, Berwick, no pay, appointed February 28, 1916.

Hants.

R.O. P. M. Feilding, Windsor, no pay, appointed September 29, 1915.
Dep. Jas. Ashton, Windsor, no pay, appointed.
R.O. Robert Gass, Shubenacadie, no pay, appointed September 29, 1915.
Dep. D. G. Whidden, $3 per day, appointed temporarily to recruit for Forestry Batt.

Cumberland.

R.O. Major W. A. Fillmore, Amherst, no pay, appointed February 7, 1915.
Dep. J. W. Potter, Springhill, no pay, appointed.
Dep. Capt. J. A. McPherson, 106th O.B., C.E.F., Amherst, no pay, appointed December 6, 1915.
Dep. Rev. H. Carter, River Hebert, no pay, appointed February 29, 1916.
Dep. G. W. McLary, Joggins Mines, no pay, appointed February 29, 1916.

Colchester.

R.O. R. H. Kennedy, Hilden, no pay, appointed October 10, 1915.
Dep. Lieut.-Col. Coleman, Truro, no pay, appointed.
Dep. Major J. R. Smith, 106th O.B., C.E.F., Truro, no pay, appointed December 6, 1915.
Dep. Major J. P. Edwards, Londonderry, no pay, appointed March 7, 1916.
Dept.-Capt. P.G. Smith, Bass River, $3 per day, appointed temporarily to recruit for Forestry Batt.

Pictou.

R.O. Capt. J. F. Tupper, Westville, no pay.
Dep. Rev. W. W. Clarkson, Trenton, no pay, appointed November 7, 1915.

Dep. Major J. H. Moxson, 106th O.B., C.E. F., Pictou, no pay, appointed December 29, 1915.

Antigonish.

R.O. P. J. Webb, Antigonish, $2 per day for office expenses since August 2.

Guysboro'.

R.O. Rev. A. H. Saunders, Guysboro, no pay, appointed March 9, 1916.
Dep. Mr. A. H. Rice, Canso, no pay, appointed January 12, 1915.
Dep. Rev. G. A. Logan, Sherbrooke, no pay, appointed January 22, 1916.
Dep. Mr. C. Bruce Scott, Mulgrave, no pay, appointed February 5, 1915.

Inverness.

R.O. Lieut. C. E. McMillan, Inverness, no pay, appointed August 5, 1915.
R.O. Mr. A. G. McDonald, Inverness, no pay, appointed January 18, 1916.

Victoria.

R.O. Hon. Capt. Rev. A Murray, Middle River, no pay, appointed September 7, 1915.

Cape Breton.

R.O. Hon. Capt. Rev. E. W. Florence, Sydney, paid as chaplain, pay of rank, Sub. and Fld. All., $5.25 per day.
Dep. Hon. Lieut. W. Chirgwin, 94th Rgt., Sydney, no pay.

Richmond.

R.O. Dr. B. A. LeBlanc, Arichat, no pay, appointed December 29, 1915.

2 Recruiting Officers and Deputies for

New Brunswick.

Chief recruiting officer, Capt. L. P. D. Tilley,(pay of rank contributed to Patriotic Fund) $3 per day, appointed November 4, 1915.
Special R.O. Rev. G. Jean Gaudet, Adamsville, $3 per day, appointed January 7, 1916.
Special R.O. Sergt. Norman F. R. Knight, St. John, $3 per day, appointed February 4, 1916.

St. John.

Dep. Capt. J. R. Miller, St. John, $3 per day, appointed.

Westmorland.

R.O. Capt. F.R . Sumner, Moncton, no pay, appointed.
R.O. Lieut. D. R. Chandler, Moncton, pay of rank till January 7, thereafter no pay, appointed.
R.O. Major J. W. S. Black, Sackville, no pay, appointed November 6, 1915.
Dep. N. G. Wadman, Moncton, no pay, appointed.
Dep. Major L. C. Carey, Moncton, no pay, appointed December 18, 1915.
Dep. Major E. E. Wood, Baie Verte, no pay, appointed December 18, 1915.
Dep. Mr. C. S. Heckman, Dorchester, no pay, appointed December 29, 1915.
Dep. Lieut. R. A. Frechet, Moncton, no pay, appointed January 17, 1916.
Dep. Pte. John Devine, Shediac, no pay, appointed February 19, 1916.

York.

R.O. J. J. McCaffrey, Fredericton, $3 per day, appointed October 1, 1915.
Dep. Sergt.-Major Brewer, Fredericton, no pay, appointed September 30, 1915.
Dep. Lieut. W. G. Thompson, St. Croix, no pay, appointed July 24, 1915.
Dep. Sergt. R. B. McKay, McAdam Junction, no pay, appointed February 4, 1916.

Albert.

R.O. F. M. Thompson, Hillsboro, no pay, appointed November 6, 1915.

Carleton.

R.O. T. C. L. Ketchum, Woodstock, $3 per day, appointed January 31, 1916.
Dep. Robert S. Welch, Armouries, Woodstock, no pay, appointed August 11, 1915.
Dep. R. W. Cameron, Hartland, no pay, appointed December 1, 1915.
Dep. F. T. Atkinson, E. Florenceville, no pay, appointed December 1, 1915.

Restigouche.

R.O. A. McG. McDonald, Campbellton, no pay, appointed August 4, 1915.
Dep. Capt. N. C. McKay, Campbellton, no pay, appointed January 7, 1916.
Dept. Lieut. J. B. McKay, Dalhousie, no pay, appointed January 7, 1916.
Dep. Sergt. Edmund Sargeant, Campbellton, $1.50 per day less pension, appointed January 29, 1916, for one month.

Gloucester.

R.O. F. H. Eaton, Bathurst, no pay, appointed.
R.O. J. B. Hachey, Bathurst, no pay, appointed December 11, 1915.

Charlotte.

R.O. Lieut. Geo. P. Ryder, St. Stephen, $3 per day, appointed September 16, 1915.

R.O. James McDowell, St. Andrews, no pay, appointed January 18, 1916.
Dep. N. Vaughan Dewar, St. George, no pay, appointed January 18, 1916.

Victoria.

R.O. N. J. Wootten, Perth, $3 per day, appointed August 11, 1915.
Dep. Dr. J. D. Coffin, Plaster Rock, no pay, appointed January 12, 1916.
Dep. Hugh Taylor, Grand Falls, no pay, appointed January 12, 1916.

Madawaska.

R.O. Lieut. S. H. Jamer, St. Leonards, no pay, appointed.
R.O. Capt. A. Lawson, Edmundston, no pay, appointed
Dep. J. F. Rice, Edmundston, no pay, appointed.
Dep. A. E. LaPointe, St. Leonards, (just appointed, pay recommended).
Pte. E. S. Violette, St. Leonards, (sergt's pay, $1.50 per day).

Queens—Sunbury.

R.O. Lieut.-Col. W. H. Gray, Marysville, $3 per day, appointed January 10, 1916.

Northumberland.

R.O. R. A. Murdock, Chatham, $3 per day. appointed December 1, 1915.
R.O. Lieut. D. P. De la Perrelle, Newcastle, $3 per day to December 6, 1915, since then no pay, appointed October 16, 1915.
R.O. Jas. W. Davidson, Newcastle, $1.50 per day, appointed December 9, 1915.
Dep. Capt. Fred H. Mercereau, Doaktown, no pay, appointed December 11, 1915.

Kent.

R.O. Lt. H. S. Fairbanks, Harcourt, no pay, appointed November 6, 1915.
R.O. Dr. T. J. Bourque, Richibucto, no pay, appointed January 12, 1916.
R.O. W. H. Anderson, McKee's Mills, $3 per day, appointed January 29, 1916.

Kings.

R.O. J. D. McKenna, Sussex, no pay, appointed November 6, 1915.
3. Prince Edward Island:
R.O. whole island, Lt.-Col. J. R. Allen, pay of rank ($5 a day).
Special R.O. for 165th Batt. in P.E.I, Mr. F. J. Boute, Tignish, $3 per day, appointed March 3, 1916.

Kings.

R.O. C. Judge A. L. Fraser, Souris, no pay, appointed January 18, 1916.

Queens.

R.O. Major C. Leigh, Charlottetown, pay of rank ($4 a day), appointed May 29, 1915.

Prince

R.O. Major T. H. Inman, 105th O.B., C.E.F., Summerside, no pay, appointed March 7, 1916.

4. Rations are issued wherever facilities exist to do so ;where not the board of the men is paid at a cost not to exceed 60 cents each per diem.

5. The officer in charge has to submit vouchers for what he has to pay for board.

6. If fed by contract, the amount of the contract, not exceeding 60 cents per man per day, is paid by the department, through the officer in charge.

7 and 8. No.

9. Paying through the officers in charge, cost of maintenance of soldiers, not exceeding 60 cents per diem.

ESCAPE OF PRISONERS FROM DETENTION CAMPS IN ALBERTA.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. If the Government is aware that escapes of alien enemy prisoners in the detention camps situated in the province of Alberta have been effected?

2. If the Government is aware that at the detention camp situated in the Banff district under the command of Major Duncan Smart, until recently, alien enemy prisoners could obtain their liberation by the payment of a fee of $50 or more and by producing two affidavits as to character?

3. If the Government is not aware of this condition of things will it take immediate and effective measures to ascertain the facts officially and communicate them to Parliament without delay?

Hon. Mr. LOUGHEED—The following are the replies to the hon. gentleman's questions:

1. Yes.

2. No, and any such action would be in violation of the regulations.

3. Inquiry is being made.

MOTION.

The notice of motion being called:

By Hon. Mr. CLORAN:

That an order of the Senate do issue for a return of all papers and documents dealing with the escapes and the liberation of alien enemy prisoners from the detention camp situated at Banff, in the province of Ontario.

Hon. Mr. CLORAN—In connection with this motion, I find on the Order Paper

notice of a motion by my hon. friend from Antigonish. As it would be idle to have two debates on the same subject, I ask that this motion be allowed to stand until to-morrow, and it can then be discussed jointly with that of my hon. friend from Antigonish.

The motion was allowed to stand.

BOND GUARANTEE ON C.N.R.

Hon. Mr. BOSTOCK—Before the Orders of the Day are called, I desire to bring to the attention of the House a matter as to which I have just received a telegram, and to ask my hon. friend if he can give me the desired information. The telegram is as follows:

> The hon. Mr. Bowser stated yesterday that the Dominion Government had assumed partial or entire responsibility provincial bond guarantee on Canadian Northern Pacific on account of federal assistance of $45,000,000. Please try and find out if there is any truth in the report.
>
> (Signed) H. C. Bowser.

Hon. Mr. LOUGHEED—All I can do, in reply to my hon. friend's question, is to refer him to the legislation which was passed, I think the session before last, touching the guarantee by this Government of the C.N.R. enterprise. That legislation covers the whole of the responsibility assumed by the Government.

Hon. Mr. BOSTOCK—There is nothing beyond that?

Hon. Mr. LOUGHEED—Not that I am aware of.

THIRD READINGS.

Bill (L), An Act respecting the Atlin Railway Company.—Hon. Mr. Derbyshire.

Bill (W), An Act for the relief of Arthur Alexander Reinhardt.—Hon. Mr. McCall.

SECOND READINGS.

Bill (Y), An Act to incorporate The Imperial Order Daughters of the Empire.—Hon. Mr. Edwards.

Bill (Z), An Act for the relief of Charles William Wilson.—Hon. Mr. Talbot.

Bill (A-2), An Act for the relief of Aimée Rita Elliott.—Hon. Mr. Ratz.

GRAND VALLEY RAILWAY BILL.

SECOND READING.

Hon. Mr. McCALL moved the second reading of Bill No. 26, An Act to enable the Corporation of the City of Brantford to own and operate the Grand Valley Railway.

Hon. Mr. CLORAN.

Hon. Mr. DAVIS—Explain.

Hon. Mr. SPROULE—I understand that this is simply to enable the company to place the management of this railway under the power of the corporation of Brantford.

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

BANK ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 33, An Act to amend the Bank Act.

Hon. Mr. POWER—Explain.

Hon. Mr. LOUGHEED—This is a Bill amending the Bank Act to permit banks to loan money to farmers upon the security described in the second clause. It is unnecessary for me to say that for a very considerable length of time public opinion has strongly favoured legislation to promote the live stock interest by way of loaning to farmers what I might term as cheap money upon such conditions as might be provided for in the Bank Act. Now, this Bill proposes that the bank should practically be in the same position as an individual in loaning money on live stock; that the provisions of the different provinces with reference to bills of sale and chattel mortgages should be observed by the banks; that they may take the same security as an individual will take in advancing money to farmers for the particular purposes set forth in the Bill. Representations, I may say, have been made from different quarters and different interests in favour of this legislation. In fact, for some years, during the many revisions of the Bank Act, this principle has been strongly urged, not only upon the Government but upon the banks; but for some reason which is difficult to explain, possibly reluctance on the part of banks to enter upon this particular class of business, they were not given this power which it is proposed now to give them under the present Bill. This legislation has been strongly supported by the agricultural interests throughout the West. Those interests have had a great deal to do with impressing on the Government the necessity of some step being taken in this particular direction. Furnishing agricultural credits has been a live question in agricultural quarters for many years past, and it seems to me that this is a step in the right direction In the United States many corpora-

tions of a limited character have been organized for the purpose of carrying out the idea which is embodied in this legislation. If it can be carried out successfully by the banks, they are in a very much better position, I presume, owing to their command of capital, than would smaller organizations, to meet the requirements of the farmers in the different districts throughout the Dominion of Canada. I have no doubt that hon. gentlemen will very heartily approve of the principle of the Bill and that it will receive the second reading.

Hon. Mr. DAVIS—I have lived in the wsetern part of this country, and been in the cattle business for a good many years, and I do not know what agriculture interests have been asking for this. It appears to me that it is giving another concession to the banks to enable them to get more security. From my experience, any man who has a tract of land which is cleared, no mortgage or liens against it, can go to the bank and borrow money if he is willing to pay such rates of interest as the banks charge. The people of the West are not asking Parliament to give the banks the right to lend money on chattel mortgage. What they want is cheaper money, and 8 per cent is not cheaper money. The people of the West and other parts of the country consider their security as good as that of a railway corporation, and if a Government can guarantee the bonds of a railway company to enable them to get cheap money, the farmers do not see why steps should not be taken to enable them to borrow money at 4 and 5 per cent instead of 10 or 12 per cent. But in this case they have asked for bread and you give them a stone. You are giving the banks a right to lend money at 8 per cent and take a chattel mortgage on the borrower's stock. I have no doubt the banks would be willing to lend the money at 8 per cent without this legislation.

Hon. Mr. DE VEBER—I do not think the purpose of the change in the Act is what my hon. friend from Saskatchewan imagines it is. We have had in the West heaps and heaps of advice. We have been advised to go into mixed farming, and every farmer has been advised to get a few head of cattle, but many of them have not had the money to do so. If a farmer 's name is good he can go to a bank and borrow the money, but the loan must be repaid at the end of the year before he can get any more advances. The banks will not extend the loan beyond the year, and the farmer must sell his cattle to pay the note. If the loan could be carried for three years by paying the interest yearly, at the end of the three years the farmer could pay his debt from the increase of his stock, and have as many cattle as he had in the first place. I think the intent of the Bill is to enable the bank to lend the money for more than one year. In Lethbridge, seeing the necessity of something of this kind, the Board of Trade induced a number of us to join in forming a general pool, leaving our money in the pool. The farmers have paid the interest, and in nearly every case where it has been going for three years they have paid the principal. I do not think the banks will run any chance of losing when they make such loans if they give the borower an extension of time, but he could not repay the money under the old system.

Hon. Mr. McSWEENEY—What is the rate charged?

Hon. Mr. DE VEBER—The regular charge is 8 per cent.

Hon. Mr. BOSTOCK—This Bill is in the interest of the farmers, especially in the West. I do not know how it will affect farmers in the East, but my hon. friend to my right (Hon. Mr. Dandurand) told me that, as he understood it, in Quebec they had no form of chattel mortgage, so that the farmer in Quebec will not be benefited by this legislation.

Some hon. GENTLEMEN—Oh yes.

Hon. Mr. BOSTOCK—I am glad to know it is going to help farmers all over the country. It is legislation in the right direction, and will be of some assistance to the farmer. I presume the interpretation of my hon. friend from Lethbridge is correct, that the banks will be allowed to extend such loans longer than 12 months. This Bill also deals with another question which I do not think my hon. friend the leader of the Government brought out exactly. I understand the first clause extends the privilege of lending money to a farmer on his seed grain. On a former occasion we amended the Bank Act to allow a bank to lend a farmer money to buy seed grain, taking security on his crop, but if my recollection is correct, that Act was to end in 1915. As I understand, the first clause of this Bill strikes out the section in that Act which limited the time, and practically continues the Act until

further legislation is passed in regard to the matter. That also should be in the interest of the farmer, but the question arises when we are amending the Bank Act in this way, whether it would not be better to go a little further and make it apply to the personal property of the farmer generally. As I understand it, at the present time a bank is not allowed to lend money on personal effects or personal property.

Hon. Mr. EDWARDS—Yes, on his crop.

Hon. Mr. BOSTOCK—On his crop but not on other personality.

Hon. Mr. BELCOURT—Not on his machinery.

Hon. Mr. BOSTOCK—It is a question for discussion, but at the same time it might be a very valuable thing for the farming community generally if the banks had the power, where they were satisfied, of course, that it was a right thing to do, to lend a farmer money on all his personal effects. Many farmers have a good deal of property in the form of personal effects, and all we have done so far in this legislation is to allow the banks to advance money to the farmer on special things like his growing crop or live stock. We might possibly consider the question whether it could be carried a litle further at some future day.

Hon. Mr. SPROULE—The worst feature of this Bill will appear in the working out of it. Most of us know something about the banks in their business relations with the people. They are cast-iron in their rules. A bank notice with reference to a protest lasts just so long, and unless the matter is promptly and properly attended to, serious consequences follow. I take it that it would be the same with reference to the working out of a chattel mortgage. As a general thing, farmers are not very highly trained in their business methods, and are sometimes neglectful. I am afraid they would very frequently find themselves in serious trouble if they dealt with the banks as they usually deal with their neighbours, or even with Loan companies and they might get tied up pretty well. The payment might fall due at an inconvenient time for them, and in many cases their stock would be sold, possibly at a sacrifice, and perhaps in the long run they might be injuriously affected. In so far as it secures to the farmer better facilities for obtaining accommodation, the object of the Bill is good, but I am afraid the farmers may find that it will cause them trouble and they will scarcely be very grateful for this legislation.

Hon. Mr. BELCOURT—I thoroughly agree with what has been said by my hon. friend, and it appears very clear when you look at section 19, which provides that the bank may take possession of the security and sell it on a notice of five days, and a notice published in a newspaper. That provision demands very serious consideration A notice for five days in a newspaper, in the Northwest especially, would probably never reach the interested party. His horses and his whole stock might be disposed of, and probably would be, without his knowing anything about it. I do not agree with the leader of the Opposition, that we should extend the Bank Act and make this applicable to other chattels, furniture, or machinery. If machinery is chattel mortgaged and sold by the bank, we can have a pretty good idea how much it will realize at a forced sale after brief notice. I think it would be very bad business for the bank, and very bad business for the farmer, and when we come to consider the Bill I shall do all I can to have this notice changed—not a notice in a newspaper, but a notice served on the party himself, and a longer notice than five days.

Hon. Mr. WATSON—I should like to know if the bank would be allowed to take security on what is now exempted in the province.

Hon. Mr. LOUGHEED—The Chattel Mortgage Act or the Bill of Sale Act of each province, must necessarily govern—at least I should think so

Hon. Mr. BELCOURT—The Bill says so.

Hon. Mr. LOUGHEED—In answer to the hon. gentleman from Ottawa, who has directed my attention to the five days' notice, there might possibly be conditions of such a character as to render it desirable that a longer time than five days should not ensue, but it is manifestly to the interest of the bank that the greatest amount of publicity should be given and the highest amount possible should be realized on the sale of the goods. The general law is sufficient, I fancy, to protect the bank, inasmuch as the bank, like any chattel mortgagee, would be expected to exercise every reasonable pre-

caution in giving publicity of the sale and in not making a sacrifice of the goods that may be sold. I might say to the hon. gentleman from Prince Albert (Hon. Mr. Davis) who seems rather opposed to the principle of the Bill, that it has been most heartily supported by the farmers' organizations of the West. No later than 21st January last a resolution by the United Farmers of Alberta was forwarded to the Minister of Finance, strongly approving of this legislation, and strongly urging upon the Government that legislation of this character should be passed, and in deference to the public opinion which has been expressed, particularly in the West, this legislation has been prepared and introduced into Parliament

As to the rate of interest, that is a matter entirely between the borrower and the lender. There is no arbitrary provision in the Act by which the farmer may be compelled to pay any ratio per cent. That is purely a matter of contract, and I fancy this Chamber will agree with me that it would be very unwise to adopt any arbitrary provisions as to the rate of interest which might be stipulated to be paid.

Hon. Mr. CLORAN—Might it not be wise on behalf of the farmer to have a clause in the Bill regarding the rate of interest—not the minimum, but the maximum rate, telling the bank that they cannot charge more than 8 per cent.

Hon. Mr. LOUGHEED—The Bank Act will control that. This is an amendment of the Bank Act, and the Bank Act must necessarily control the rate of interest.

Hon. Mr. GIRROIR—In connection with the argument that has been made by the hon. gentleman from Toronto I might point out that in the province of Nova Scotia a private individual who has a bill of sale on live stock can, immediately upon default, take possession without any notice. That is the way the bills of sale are drawn in that province, according to the law. Therefore this provision would be more advantageous to the farmer than the usual practice that prevails in Nova Scotia.

Hon. Mr. BELCOURT: It is quite true that in Nova Scotia, or Ontario, or wherever there is a chattel mortgage, the title passes from the mortgager to the mortgagee, and he has, as my hon. friend says, a right to take possession; but if he chooses to take possession and sell the security without giving proper notice, and not getting a proper price for it, or doing the best he can to realize good prices for it, he is liable for damages. That is the law in Ontario, Nova Scotia or anywhere else governing chattel mortgages; but under this Bill there is provision only for advertising in a newpspaper five days, which I say is absurd. In a section of country where the papers are published weekly, or where there are very few published daily, a five-day notice is worthless, because if the bank were charged with not having taken the proper measures to get the best price, they could make a complete answer by saying, "We advertised in the papers according to the statute," and that would be an end of it.

Hon. Mr. BEIQUE: I think we are all agreed that every facility should be given to improve agriculture, and encourage farmers to improve their stock; therefore, we should all be agreed upon giving farmers all possible help to procure the money necessary to do so. In several European countries there are farmers' banking institutions expressly for the purpose of placing capital at the disposal of farmers. In this country we have not reached that conditions of things yet, but I think the Bill is in the right direction, inasmuch as it offers additional facilities to farmers to borrow money more easily than they could do otherwise, and at a cheap rate, for the purpose of extending their farming operations, or of improving their stock. If the bank's rate is higher than the rate at which farmers can procure money elsewhere, of course they will not apply to the banks. They will apply to the banks only if it is in their interest to do so. Therefore I am entirely in accord with the principle of the Bill. Amendments may be necessary in the direction that has been suggested by the hon. member from Ottawa. I think the Bill will have to be seriously considered in other respects: for instance, under the provincial laws—I am speaking now more especially for the province of Quebec—there are privileges, such as the privilege of the vendor, and attention should be given to see how the privilege of the vendor would stand under the Bill. Matters of that kind, of course, will have to be considered when the Bill comes up in committee.

Hon. Mr. POWER—The Bill as a whole makes a step in the right direction, but I trust that the leader of the Government will consider the point made by the hon. gentleman from Ottawa. It deserves a great deal of consideration. Under the

provision of this Bill as it now stands the security may be sold within five days after notice of the time and place of sale has appeared in a newspaper published in or nearest the place where the sale is to be made. In a great many places that would be equivalent to no notice whatever, and while we no doubt should look after the interest of the banks, I think it is still more our duty to consider the interests of the farming population. When we go into committee I trust that the hon. leader of the Government will be prepared to suggest some amendment to meet the views of the hon. gentleman from Ottawa.

Hon. Mr. SPROULE—May I ask the hon. gentleman who has charge of the Bill if it contains anything which provides for or prevents the renewal of the chattel mortgage by the bank?

Hon. Mr. LOUGHEED—No.

Hon. Mr. BELCOURT—Section 15.

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

Hon. Mr. LOUGHEED moved that the Bill be committed to a Committee of the Whole House to-morrow.

Hon. Mr. CHOQUETTE—I would suggest that this Bill be referred to the Committee on Banking and Commerce.

Hon. Mr. LOUGHEED—Being a public Bill, it should go to a committee of the whole House, and then every hon. gentleman will have an opportunity to discuss it.

Hon. Mr. BEIQUE—I would suggest that it go to the Banking and Commerce Committee. The Bill raises important questions.

Hon. Mr. LOUGHEED—I leave it entirely with the House.

Hon. Mr. EDWARDS—Such Bills are referred to the Banking and Commerce Committee only when it is expected that outside parties will appear to address the committee or give evidence. That is not expected here, and surely it is far more in the public interest that it should be discussed in Committee of the Whole.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—I wish to move, by way of amendment, that this Bill to amend the Bank Act shall go with my Bill to the Banking and Commerce Committee.

Hon. Mr. LOUGHEED—I do not think my hon. friend would be in order. We are considering now a particular Bill, namely, Bill 33. I do not think my hon. friend can couple this Bill with another Bill.

Hon. Mr. CHOQUETTE—No, but I wish to couple with this measure my Bill which was declared out of order.

Hon. Mr. LOUGHEED—When it comes to the committee stage, then will be the time for my hon. friend to move any motion that he may have.

Hon. Mr. BELCOURT—My hon. friend cannot do by amendment what he could not do by direct motion. He cannot by an amendment introduce his Bill into this House, because it is a Money Bill.

Hon. Mr. CHOQUETTE—In dealing with the Bank Act anybody may move an amendment. The amendment I wish to move is in regard to the contents of that Bill.

Hon. Mr. LOUGHEED: It is time enough to do that when the Bill comes before the Committee of the Whole. I would therefore move that the Bill be referred to a Committee of the Whole to-morrow.

Hon. Mr. SPROULE—I agree with the hon. Senator from Ottawa that it would be quite impossible, according to our rules, to propose this Bill as an amendment to the Bank Act and thereby deal with a monetary clause, because it has not been recommended by the Crown and is not properly before the House.

Motion was agreed to, and the Bill referred to a Committee of the Whole House to-morrow.

EXTENSIONS OF TIME TO INSURANCE COMPANIES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill 34, "An Act to authorize certain extensions of time to Insurance companies."

He said: The object of this Bill is to extend the legislation that is already upon the statute-books. Under section 78 of the Insurance Act of 1910, chapter 32, unless an insurance company obtained a license within two years of the passing of that law, its act of incorporation expired. In consequence of the financial depression and the war

through which we have been passing for the last couple of years, practically many insurance companies that obtained legislation with a view to organization, have not been able to proceed with that organization. Last year, an Act was passed enabling a company to get its charter extended by filing a notice and paying a fee of $100, and several companies took advantage of that legislation. This Bill is to extend charters that have been already passed by this Parliament for another year upon a similar condition, namely, upon the payment of $100.

Hon. Mr. BELCOURT—Would my hon. friend mind giving the clause of the Act of 1910?

Hon. Mr. LOUGHEED—I have not that before me. When we go into Committee I shall have the statute-book before me.

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

RECRUITING IN CANADA.

DEBATE RESUMED.

The order of the day being called:

Resuming the postponed debate on the motion of the Hon. Mr. Mason:

That an Order of the Senate do issue for a return showing the number of men recruited up to the first day of March, 1916.

Hon. Mr. SPROULE—I only intervened in the absence of the hon. senator who had this matter in charge and who did not desire to use up the time of the House in discussion, and as I see that he is present to-day I shall abandon my right to speak on it.

Brig.-General the Hon. Mr. MASON—During the debate last week on the motion now before the House, the hon. member from Grandville (Hon. Mr. Choquette) thought fit to state that my remarks were compiled by somebody and placed in my hands for publication in order to affect public sentiment. I should like the House to know that, far from being put in my hand by somebody, they were compiled entirely by myself. My object was to influence public sentiment on such an important matter as I claim recruiting to be. The same hon. gentleman rather insinuated that I was inspired by some members of the Government to make these remarks with a view of feeling the country on the subject. I do not know what ground he had for making that insinuation; it is incorrect in every particular. My only object was to affect public sentiment on the question of recruiting. I suggested registration as a remedy for the present method of recruiting, which, in my opinion, has dislocated business, agricultural, manufacturing and financial interests. I suggested registration as a means to overcome that difficulty, and I trust that public sentiment will take it up warmly and insist upon it. I trust also that public sentiment will not be affected by reason of the failure on the part of the Germans to break through the French lines in Verdun, thereby perhaps suggesting an early approach of peace. As I understand, the public sentiment among the Allies is that there can be only one basis of peace with the enemy, and it is difficult to understand how that could be accomplished now in the present situation. The enemy is still occupying territory of the Allies. He appears to be fixed there; it appears he cannot advance further, and until we occupy the territory of the enemy it is useless, in my opinion, to talk about peace. I trust the Government will take up the subject of registration at an early date.

Hon. Mr. LEGRIS—The speech delivered by the honorable member from Toronto the other day raised the whole question of recruiting, with all the terrible consequences which inevitably will fall upon Canada on account of that policy which is being pursued exactly in the way announced by the Solicitor General last year, namely: "To bankrupt Canada to save the Empire."

The announcement of that policy with regard to the war in Europe has created a grave situation which demands the serious attention of all those who are concerned with the welfare and safety of the country. Now, one cannot ignore that the situation is becoming worse and worse, and every day the voice of influential newspapers and men holding high positions in the country is heard, calling the attention of the Government and the public at large to the disastrous position into which we are being forced.

To back my contention, I may be permitted to quote some newspapers. I shall read first a short extract. Le Pays, a very independent Liberal paper in Montreal, which has always approved our help to England in the present war, published, on February the 19th, a very important article headed with this sentence:

Que le Canada aide l'Angleterre de toutes ses forces, très bien, mais ne dépassons-nous pas nos propres forces?

Let Canada help England with all her forces; very well, but are we not going further than our own forces?

The article deserves to be quoted in full, but in order not to detain the House too long, I shall read just a few lines of it. After having explained our present position, and the responsibilities we have assumed on account of our participation in this war, the paper says:

Arrêtons-nous là, nous avons déjà fait plus que notre devoir, nous avons déjà usé plus que nos forces, nous nous acheminons vers la banqueroute.

Let us stop there, we have already done more than our duty, we have already used more than our own forces, we are marching towards bankruptcy.

A little farther the same paper in the same article says also:

Nous ne regrettons pas ce qui a été fait jusqu'ici; tout au contraire, mais restons-en là, nous nous sommes déjà trop avancés.

We do not regret what has been done, so far; on the contrary, but let us stay where we are, we have already gone too far.

Now I shall read a few lines from the Toronto Weekly Sun, dated March 15th, instant. This is a very serious and important paper, rather conservative, mostly devoted to the farming interests. I find in it a short article which reads as follows:

Recruiting.

Lord Shaughnessy, addressing a public meeting in Montreal last week, disputed the wisdom of the attempt to raise an army of 500,000 men, which, if persisted in, would greatly disturb the agricultural, industrial and financial affairs of Canada. The soldiery now in Canada were costing, he said, 12 millions a month. As to the need of urgent recruiting, at this time, he said that some of the original expeditionary force were still in England and 130,000 men were now under arms in Canada. Owing to the difficulties of transportation; the forces now in Canada could hardly be transported for twelve or fourteen months.

This protest, which, we thought, might encourage a measured discussion of the best application of Canada's forces during a long war, the Ontario press answers by a chorus of abuse. The organs of public opinion are content to leave farm production to the old men and to the women, who the latest suggestion is, are to be released for field work by city housemaids sent out to do the house work.

It would be useless on my part to quote others to prove my contention, which cannot be disputed.

Now, let me say that there are also some men who have spoken in a manner to be heard by the Government and the public. Among them, perhaps the last but not the least, is Lord Shaughnessy. The following is taken from a report published in a Montreal paper:

Employers to Furnish Lists of Eligibles.

Baron Shaughnessy advises pause in Recruiting until existing Battalions leave Canada. Sir Sam holds to Aim.

Canada can raise Half Million Men and more, he says—Discordant Amendment was Hissed.

At the most remarkable meeting held at the Montreal Board of Trade for many years, considerable divergence of views cropped up, yesterday afternoon, between Baron Shaughnessy and Sir Sam Hughes as to the advisability of immediately raising more Canadian troops for overseas service. Lord Shaughnessy in a carefully-thought-out speech, dealt with the present situation, military and civil. He disagreed with Sir Robert Borden's idea of raising Canada's army up to 500,000, considering that this would unduly disturb the agricultural, industrial and financial affairs of the Dominion.

Further, Lord Shaughnessy pointed out that there were still some of the original Expeditionary Force in England, as well as most of the second contingent, with 130,000 men under arms now in Canada, a total of 275,000 men. He pointed out that there were grave transportation difficulties to be considered, and that it was doubtful if it was advantageous to go on raising more battalions in Canada when those already raised could hardly all get across for 12 or 14 months.

On the financial side, Lord Shaughnessy pointed out that the cost of maintaining the men now in Canada was about $12,000,000 a month, increasing the national debt and crippling Canada's resources to that extent. He questioned whether it would not be better to delay raising more men until many of those now here had gone to the front, thus saving many million of dollars for any future emergency, when the Empire might need Canada's financial aid as well as men. Lord Shaughnessy's serious discussion added much to the force of the meeting.

A few weeks before we heard some significant utterances on the part of Sir Herbert Holt. Now we have those gentlemen, Lord, Sir and so forth, who are afraid of the actual situation with regard to the future of the country. Fortunately those gentlemen are not of French descent, because if they were, they would be charged with disloyalty and treason to the Empire and, of course, the whole province of Quebec together with them. Now, is it true, as reported by some papers, that Lord Shaughnessy said that because of a shortage of transportation facilities, it would take fourteen months to transport across the sea our 130,000 soldiers already enrolled and equipped? At all events nobody will dare to contradict that statement. And now to complete the army of 500,000 promised by the Prime Minister, the hon. Senator from Toronto came to the rescue the other day by pointing out a way to furnish the means to attain the end.

Consequently, according to Lord Shaughnessy's declaration, as reported by newspapers, if Canada enrolled and equipped soldiers to bring the number up to 500,000, the last of those troops could not be transported to England before the summer of 1919. By that time is it not reasonable to hope and believe that the war will be through either by way of victory or exhaustion? Then for what use are we bankrupting Canada and diverting our young men to the unproductive and ruinous life of militia? On the other hand, is Canada capable of supporting the growing burden for three or four years to come, and still longer after that time? The views expressed by the mover of the resolution before the House, if they were carried out, would surely have the effect of depriving the country of our useful young men, useful to rebuild our industries and still more useful on the farm, to produce the necessaries of life. I see in the papers that the western provinces are likely to be considerably short of men for the coming season. It is also the case in Ontario and elsewhere. Don't you see, hon. gentlemen, the folly of the government in pursuing blindly and extravagantly such a policy, and the still greater error of some of their friends who are not yet satisfied to-day and advocate a policy of going further and quicker? I do not think, and I cannot understand, that the Government are travelling in the right direction to serve the best interests of Canada and the Empire. To my mind, the Government has undertaking a task beyond the endurance of the country. It should not be forgotten that war costs us comparatively a much larger price and heavier sacrifices than England bears, and the help supplied by us to the Allied nations is not at all proportionate to what is costs this country. Would it not be as good an imperial policy, and a better national one, to have more regard for the security and welfare of this country? It is an easy matter for Government and Parliament to take advantage of the present apparent wave of sentiment and blind enthusiasm, and pledge the country to an unlimited number of troops and a vast expenditure of money, but what of to-morrow? I think the speech delivered in this chamber last Wednesday by our colleague from Ottawa (Hon. Mr. Edwards) should be appreciated as it deserves to be. We all know that Senator Edwards is a business man, and at the same time a practical man, I dare say second to none in the country; therefore I do not hesitate to say that his speech is nothing less than a warning to the Government and country against the dangerous course we are following. He is in line with the other gentlemen I have already alluded to, especially Lord Shaughnessy. One is the head of one of the largest and richest companies in the world, and the other the head of a very large Canadian manufacturing industry, coupled with one of the finest progressive farms, not only in Canada, but on the whole North American continent. Nobody will question their loyalty to Canada and the Empire. Both have spoken clearly enough to be fairly understood. Their advice should be thankfully received. Canada is a poor country; that is, poor in the possession of liquid wealth and money. It has been practically living on borrowed money. It is perhaps easy enough, with the interested help of the British Government, to raise the hundreds of millions of dollars required for war expenditure on such a vast scale, but I repeat what of to-morrow? After the war is over, and even before, should it end sooner than is hoped for rather than expected, the country will still have to go on. Public works will have to be undertaken and completed. Industries will have to be resurrected or reshaped. All that will require new loans on a large scale, both public and private. How will it go if the credit of the country is over burdened at the very moment its needs are increasing and the money market of Europe is practically closed to us for every other purpose than the requirement of war—that is, unproductive or rather destructive expenditure? Now to conclude my remarks, I have to say that if I understand rightly the views expressed by the hon. senator from Toronto (General the Hon. Senator Mason? and the views he desires to be spread throughout the country for more effective recruiting. I will repeat one sentence of Lord Shaughnessy, "Stop, you have gone far enough for the present."

Hon. Mr. DOMVILLE—I move that the debate be adjourned until to-morrow.

The motion was agreed to.

PROMOTION OF AGRICULTURAL, INDUSTRIAL AND TRADE INTERESTS.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion of the Honourable Mr. Béique, seconded by the Honourable Mr. Edwards:

(1) That a committee composed of nine members of this House be appointed to inquire alone or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war; such committee to be composed of the following members: The Honourable Messieurs Bolduc, Lougheed, Dandurand, Edwards, Bostock, Ross (Moosejaw), Taylor, Ross (Middleton), and the Mover, and to report from time to time to this House; and (2) That a message be sent to the House of Commons inviting that House to appoint a like committee to act jointly with the committee appointed by this House.—(Hon. Mr. Bostock).

Hon. Mr. DAVIS—With the permission of the hon. leader of the Opposition, who moved the adjournment of the debate, I propose to take his place and say a few words on the resolution moved by my hon. friend from Montreal. The other evening I moved the adjournment of this debate, and made it clear that I was not much in favour of the proposition laid down in this resolution, for several reasons. In the first place the Prime Minister had already taken the initiative, a committee has been appointed, and this question has been taken up. The resolution of council covers the ground completely. A committee of which my hon. friend the leader of the House is the chairman, having been appointed, I do not see any sense in appointing another committee composed of the same members, to cover the same ground. However, as I said before, if this committee proposed by my hon. friend is not going to cost the country any money I am not opposed to it. The trouble is that we have had so many committees and commissions for the last four or five years in this country that a great deal of the public revenue is going in payment therefor, and I do not see that it has resulted in any benefit to the people. We have had all the commissions we require. The object of the proposed investigation, as laid down by the Prime Minister and by the hon. gentleman from Montreal, who moved this resolution, is a very good one, but a great many of our people have peculiar ideas with reference to what is going to take place in this country after the war. My hon. friend who spoke the other evening has been called a pessimist because he sees what is coming. I have read statements in reliable newspapers that we are going to have fifteen millions of people in this country three years after the war is ended. I should like to know on what that opinion is based. We have to face the fact that our population is today one million less than before the war. Our population is decreasing, and our indebtedness is increasing by leaps and bounds. We must know, or we should know, that after the war is over if we intend to meet these increased obligations we will have to attract capital and population to this country. I suggest to to the hon. leader of the House that, instead of duplicating the committee of which he is chairman, the members of the Federal Government and the members of the different local Governments should get together and take up this whole question. It would have a better effect. Legislation has been passed in our province which has had the effect of stopping capital and immigration from coming into the country. The only way you can attract population is to make the conditions in the country such that people will come and settle where they can make money. Such is not the case at present.

Hon. Mr. DOMVILLE—Get prohibition in the country.

Hon. Mr. DAVIS—I am not discussing prohibition. There is no doubt that agriculture is the basis of all prosperity in Canada. You can talk about railroads, manufacturing establishments, universities and all that sort of thing, but you would have no railroads or mines or universities or anything if you did not have the agricultural community. The farmers are the backbone of the country, from whom all prosperity must emanate, if you are going to have prosperity at all. Then why not try to better the condition of the people who are taking the wealth from the soil, instead of hampering them in their operations? What do we find? Everybody has a good word for the farmers, but if they ask for bread they get a stone. The farmers in our part of the country have asked permission to market their produce wherever they wish to, but they are told they cannot do that. The wealth of the country will come from the Northwest in the near future, because we have the fertile, arable land. We have produced wonderful amounts of grain, and shall continue to do so, but our farmers not only cannot market their grain where they could get the most for it, but they are told where they shall purchase the commodities which they consume. They are shackled and protected against their wishes . If any one brings up the question here, we are sidetracked; a red herring is drawn

across the trail. If you want to make the Dominion prosperous and increase the population of the country, the only way it can be done is to try to make the farmers contented and prosperous. You may not be able to do that altogether, but you can do it to a certain extent. If you can give the farmer the highest market for his produce and lend him money at a reasonable rate of interest to carry on his farm work, you will be doing a great deal towards bringing about this condition of affairs. What do we find? We find that in Dakota, which adjoins Manitoba, land is selling at from $50 to $100 an acre. Manitoba has just as good a climate, and every advantage that Dakota enjoys, yet land can be had on our side of the line for fifteen to twenty dollars an acre. Why? Simply because the man on the other side of the boundary has an assured market for everything he produces. If you were to sweep away that artificial boundary you would make the land on this side just as valuable as on the other side, and have millions of people making their homes in Canada, thus increasing our prosperity. Capital will follow population. The debt we will have after the war is over is a mere bagatelle compared with the amount of natural resources Canada possesses, but natural resources are of no use if they are not developed. You cannot develop the country without capital, and there is only one way to attract capital—bring the people in, make the country prosperous—give the producers a market for what they have to sell.

Hon. Mr. GIRROIR—The hon. gentleman spoke of the difference in the prices of farm lands in Dakota and Manitoba. I want to ask a question—to whom do these farmers across the line sell? Do they sell to farmers?

Hon. Mr. DAVIS—They sell to one hundred and ten million people in place of six or eight million. And do you not think if we can get the market of one hundred million people for our produce that it is very silly to shut us out?

Hon. Mr. GIRROIR—Here is the point. My hon. friend says that the market is good because there is a large population who are using farm productions. Well, would it not be just as good a plan to increase on this side of the line the number of those who are engaged in manufacturing industries, men who are not farmers, making a great home market. That is what the United States people have?

Hon. Mr. DAVIS—I may tell my hon. friend that a market of one hundred and ten million people is not to be sniffed at. It is waiting for us. According to what my hon. friend proposes, it would take many years to reach the condition he is talking about, if we ever reached it.

Hon. Mr. GIRROIR—We have not as many farm products as they have.

Hon. Mr. DAVIS—The reason the land south of the boundary has a fixed value is that they have a steady market of one hundred and ten million people. After the war we do not know what kind of market we will have. We hear talk about free trade within the Empire after the war. Do you mean to tell me Great Britain will put a tax on wheat after the war is over, and tax every man on his bread in the British Isles? I fancy they would have some trouble doing that. If we are looking to that as the outlet for our products I think we are looking far afield, because nothing will come of it. It may be we will get a market after the war is over, and it would be well to cultivate it, but the point I want to make is that the great interest of this country is the farm industry, and the farmers should be looked after better than they are now. Take the question of cheap money. I see the Finance Minister mentions the fact that they are going to do something. We have heard that for a long time, and now we find that they are to be allowed to borrow money on their stock at 8 or 10 per cent. We think the farming industry should be able to borrow money as well as any other institution. There would be no railroads if it were not for the farmers. How is it that the Government guarantee bonds for a railway? The bonds of a railway with its rolling stock, right of way, etc., are not as good value as the agricultural lands of the country. Still the Government will guarantee railway bonds, and the railway companies can go into the money markets of the world and borrow money on them at 4 and 5 per cent; but if a farmer wants to borrow money he must pay 8 or 10 per cent. If the local and Federal Governments would arrange some system whereby farm mortgages could be collected and pledged at a low rate of interest and long credit, it would be a step in the right direction, and would be bettering the condition of the country, because

if you improve the condition of the farmer. you improve the condition of the country as a whole.

Hon. Mr. DOMVILLE—What is going to become of money lenders?

Hon. Mr. DAVIS—I am not thinking of them. There have been too many money-lenders, and middlemen who have all been taking a bite out of the farmer. The farmer sells his pork at 8 cents a pound, and has to buy it back at 25 cents.

Hon. Mr. DOMVILLE—What are these middlemen to do, if they do not raise anything, and are not going to war?

Hon. Mr. DAVIS—Let them go to the farm and raise something and get out of the way of living off other people. Take the man who sells a bunch of cattle—we have talked about cattle and lending money on cattle—how many men are there who make a big profit before the cattle are converted into beef and placed upon the market, and sold at 15 or 20 cents a pound? There are seven or eight men. The farmer sells his grain at 80 cents a bushel, and buys back flour at, perhaps, $1.75. The price of wheat is going down, and the price of flour going up. The argument used for not allowing the farmers a free market for grain was that it would injure the railroads and millers. You cannot injure one without injuring the other. The farmers should receive some consideration as well as the others, because the people of the country, including the farmers, have built the railroads. I do not know anybody who has put up money to help the farmers, except the small amount spent on agricultural farms. If the Government, in place of appointing this committee and the one already named, were to meet the members of the different legislatures, and where any objectionable legislation is found have it repealed, and provide means to furnish cheap money for farmers, then you would be doing something to make the country prosperous. Let them also wipe out the foolish barrier between us and the hundred million people to the south. If we are going to get people into this country we must get them from the United States, where we were getting them before. They are the best immigrants we can get. If you want those people in the country you must give them low taxation, Federal, provincial, and municipal, and better markets for their produce. Taxes have been going up and the prices of produce have not been keping pace with them. The cost of farm labour has been going up, but produce has not kept pace with it. The farmers have to get a better market and cheaper money. If you do something to bring that state of affairs about you will have the fifteen millions referred to, but if you want to bring people in here you must show them what we have to offer.

Conditions were not any too good before the war, and I do not see that they are going to be any better after the war. We were getting 400,000 immigrants annually before the war, and how do you suppose we are going to get them after the war? People will have to find out how much their taxes will be and what their possibilities of success are, and unless they think they are going to succeed you will not get them in the country. I draw attention to the fact that if the Federal and Provincial Governments were to get together and arrange some system to group together the farmers mortgages, and issue twenty-five or thirty years bonds which would enable the farmer to get money by paying a small sinking fund and a low rate of interest, and give him access to the market of one hundred millions of people, then you can do something. It can only be done by united action of the Federal and local Governments. A lot of legislation will have to be repealed before you can attract people to settle here. As to a prohibitory law, I am not talking about that at present as it is under consideration.

Hon. Mr. DOMVILLE—I am very much pleased that my hon. friend has taken up the cause of the farmers. In this country I am afraid we are running to the higher lines of society and civilization. We are creating an aristocracy of wealth. It pleases the women, but nobody else. Only a few years ago in our large cities there were no accumulations of hundreds of millions that are now talked of. The people were prosperous, but to-day where large fortunes are accumulated, cities like Montreal, Toronto, etc., the condition of the people is not improved. The cities flourish at the expense of the country. Listening to my hon. friend I would infer that he wishes the House to believe that the farmer exists merely as a hewer of wood and carrier of water, that he has to contribute all he produces to the middle-man or upper-man. I remember young Chas. Tupper at a public meeting in St. John telling a story about Mr. Hopkins, who had complained that he had been so set upon and bothered that there was nothing left for him to do now but to go to that

hot place we have heard of but not realized, and Tupper said, "Hopkins you should be very proud as how there is such a place as Hell left for you." That is about the drift of my hon. friend's remark. He says a million people have gone out of the country? Where have they gone? They have not gone to war. My hon. friend stated that 120,000 or 140,000 had gone. Where are the rest? They have gone to the States, have they, to escape taxation? Or are they afraid that taxes will be heaped on them under new legislation and they will be squeezed? There is something wrong; wealth has too much of its own way. It is a difficult problem, and I notice that we are in good hands in this committee, because no Maritime men are on it at all: they are entirely ignored, or have been omitted by some accident; not that any one wants to serve on it; I do not myself, because our duties in this noble House are so onerous that I do not have time to attend to anything else. The hon. gentleman has spoken of the money lender. What protection have the poor people against the small money lender? They have none. He gets some wires in his window, samples of grain and ore, and other exhibits, and he does a great deal of harm to capital in this country, because widows and orphans are induced by promise of large profits to invest their money in worthless investments. The money lender is an excrescence; he has too much to say. The excessive rates he charges should be cut down to a legitimate profit, and the farmer should be placed in a position to borrow money on proper terms. I would suggest to the Government that the lash be applied to those men who are squeezing the people, because nothing else will ever bring them to time but cutting their skins. I remember when garrotting prevailed in England they hauled up one garrotter and lashed him, and there never has been a case of garrotting since. That is the only punishment that will meet the case of heartless money lenders who have lost sight of the meum et tuum, and have lost that honourable feeling which should exist, and which is essential to induce capital to come to the country; but when the impression goes abroad that it does not matter whether money is made legitimately or illegitimately, we cannot expect capital to be attracted to this country. My hon. friend has talked about population coming into Canada, but I should like to know where it is to come from? Not from England, for they have not sufficient rural population themselves. Belgium will want hers, and France will want hers. What have we to fall back on? Waifs and strays? If so, they will not build up a country. We might ask why so many of our people are enlisting. I am told 100,000 people have gone out of British Columbia; perhaps that is a part of the million my hon. friend spoke of. If we impose high taxes in this country, how are we ever to get people to come in and settle? In the little bit of a village where I live in New Brunswick with some pious people, the taxes are going up three or four times what they were, and you cannot help it or get around it. Those people have all got to be doing good in their way; they will not allow you to get your boots blackened or get a glass of soda water on the Sabbath; they tried to stop the ferry boats; now they are going to stop drinking. Those are not the people who pay the taxes. The working man is being circumscribed on that prohibition business. I think it is a good thing to cut down drinking some way, but not to make it so that the people have no rights at all. I must congratulate the Finance Minister on his speech and on the way he is raising his revenue, for the tax must fall on everybody; but how much per head will it be when the war is over? It will be from $50 to $80 per head on the every man, woman and child, in addition to what they have to-day. Who is to pay that? Not the money lender, but the producer. The man who feeds the people has to find the money. Wheat growing is a great industry in this country, yet Liverpool and London fix the price of grain in this country, and the farmer cannot get more than he can get in England minus the freight, and in the long run he has to suffer. I might paint a picture of what is going on in the country, what we are creating in the way of an aristocracy. Do they produce anything? Nothing. Nothing but divorce cases for you gentlemen here; they produce quite a few of them, but the debt of this country has to be faced by the farmer, and the taxation has got to meet that bill by its mines, minerals and lumber. I am very glad my hon. friend has undertaken to speak for the farmers. I had not intended to say anything myself because I think it is well to spare the feelings of listeners and at the same time spare yourself the trouble of raking up something that nobody outside pays any attention to. I am sorry to say the Senate gets very little attention, and the speeches are not reported outside except sometimes some few remarks are published

when a question of order is raised and somebody finds fault with somebody else; but the Senate does not seem to have a voice in directing the welfare of this country; that is the business of the House of Commons, and therefore, as my hon. friend says, I think it would be far better if his views were carried out and the various Governments should come together and see how they are going to face these duties. There are the municipal debts, provincial debts and Dominion debts. There is no use in saying we are going to be prosperous. We know we have the finest country in the world, and Canada's debt will be nothing after all, with the vast assets we possess from the Atlantic to the Pacific. Look at the wheat; that is the great asset of the world, for people must eat bread. I would not be a pessimist on the question of what we possess. I believe we have great chances of progress in this country, but it has to be created, in this way: first of all, those who administer the laws of the country should see that the burden shall not be larger on the poor man or the ordinary man, nor wealth accumulate in a few hands. I would suggest to my hon. friend who moved the resolution that he put on the committee a gentleman from Prince Edward Island, which is our farming country. New Brunswick is blest with lumber, but has not so very much interest in agriculture. Nova Scotia has a large farming interest. Then if the committee is at all necessary those men would have their say.

Hon. Mr. DOUGLAS—For a good many years I have been a member of this House, and also for a good many years have lived in the Northwest Territories. I am, perhaps, the first white man who made an entry for land and made a home and built up a family and put to test various methods of agriculture. I have listened to the wise men from the East, who were always telling us what we ought to do if we wanted to get wealthy—to raise chickens, and various other things, and we would soon make money. The only way that was practised—and the practice was carried on with great business ability—was manufacturing implements essential to make the money out of the wheat that grew on the land. I am here to say that with the machinery we have at work at present, and the ability displayed for the last 30 or 40 years we can make money in the Northwest. We do not need the cities of Canada to help us make money so much as we need the opportunity to put our stuff on the market when once it is produced. The question to-day is very largely this—where is our market? Oh, it has gone to war. What are we to do with what we have? I have a pretty large interest in grain questions, production questions, and cattle questions, and have been through all the phases of that kind of work. I am proud to say that we have at our own hands the means of building up a grand country, a noble country, a fighting people, a people that will meet their own difficulties. I am daily in receipt of letters from home, and some of my sons have done such useful work in the field as to put it beyond the power of any one to say that work in the Northwest is a failure. If there is anything threatening at this hour the people of the Northwest, it is simply this—the possibility of putting in a crop next spring. Where is the ability that we are to exercise in order to get all these acres of land under cultivation, and the production from the land to be put upon the market to pay for the activity of cultivation? Well, last year I had, perhaps, one of the largest crops we ever had in 40 years, and made money by it. I want to say that so far as stock is concerned, We can compete with the old world on its own basis. We have better feed, more productive fields, and better stock. We can compete with the British people in their own market and make money. Last year it was a great problem how we should get cheap labour to cultivate the land, to look after the stock and have them ready for the market at the proper season. As a result of that experience I said to my young men, "Do not look any longer to human muscle; it is too dear, we cannot afford to pay it; you cannot make money yurself on those conditions unless you get cheap labour." What do I mean by cheap labour? The men we had in the field would not work unless they got about double the wages that my own young men would expect to receive after they had finished their year's toil. Wheat growing is the thing that has been advocated here this afternoon, but I say it will not pay to expect to raise a grain crop with the help of the returned soldier. He will not have the bone and muscle to make a living out of farming in the Northwest under present conditions. There is a point that needs to be considered. We must endeavour to learn the conditions for

achieving success in the Northwest. In the last letter I had from my son, who is our manager, he said that he did not know where the men were to come from, as they are being killed off faster than we can grow them. We want men for peace, but we want also intelligence, activity; we want cultivation and the application of science so that we may make things pay in our surrounding; and unless we can do that it is useless to talk about new methods of industry and new surroundings. It is true that people do not always see things through the same spectacles, and I may see differently from some people, but I did not employ men and ask them to come into the fields and grow wheat for the slaughter of the human family. Now, do not say that I am speaking in this way because I have no interest, for my good lady and I have 17 educated young men who have won their laurels in our university, and who are now at the front. Those boys will not stay; they have gone, and since the beginning of this session I have had the pleasure, I will say, of seeing five or six of our best sons going out to the front and doing it willingly and nobly. I went on purpose to see an elder daughter in the Northwest, expecting under the circumstances to find her broken-hearted, but she was not weeping because her sons had gone to the front, but was thankful instead that she had the men to go, and was ready to send more. Those are our best men for the next year's crop, but where are we to get them to-morrow and the coming weeks? Well, we employ machinery. If we cannot get labour we must take what we have. If war has driven out our best sons and best friends, why should we not continue to do what we find is profitable to-day? We find it is profitable to use machinery rather than human muscle to bring in our grain in good season at harvest time. I imported new machinery from the United States, put it into the field, and it did as much work in one day as we could have done in former years in about 25 days so that we had a large increase of our growing power, a large increase of the amount of grain that was grown; we did away with grumbling, disappointed men who were not willing to take ordinary fair prices and fair wages, and did the work by machinery. What are we going to do next spring? The same as we did last spring. If Canada is to destroy her working forces she must overtake her work by some means, and get into some market that we do not at present possess. We want the machinery moving, and we will have results that will astonish the world. Instead of losing money we can make money in the Northwest. I should like to enlarge on that point if time permitted. There is plenty of room, and no doubt about the success of Canada, but this country must have a basis of success; if she cannot do it in one way she must find ways and means to reach success. I have no other expectation for it but that it will go on and prosper. The great effort of Canadian enterprise has been largely in the cities, and we must turn out attention more particularly to what the country is fitted to produce, and follow in that line until we make it a success. As far as live stock is concerned, I do not need to speak about our success along that line, in which we hold the first place to-day, and I hope shall continue to do so. I hope that a good deal of attention will be given to these questions even at this period of the session in order that our people may be encouraged. At present they are down-hearted; many of them have not the means, the money, the implements, the wherewithal to regain what they have lost in the last twelve months. It is for us to consider how we are to improve these matters and increase the numbers we have lost on the battlefields from our country. We have no word to say against it; we are willing to do our duty; but we want to see what is going to be done and what ought to be done, and that speedily, to ensure prosperity throughout the Dominion.

Hon. Mr. WATSON moved the adjournment of the debate until to-morrow.

The motion was agreed to.

BILLS INTRODUCED.

Bill (46) An Act respecting the Algoma Central and Hudson's Bay Railway Company.—Hon. Mr. Lougheed.

Bill (58) An Act to amend the Canada Grain Act.—Hon. Mr. Lougheed.

THE LOAN BILL.

FIRST READING.

Hon. Mr. LOUGHEED moved the first reading of Bill (60) An Act to authorize the raising by way of loan of certain sums of money for the public service.

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

Hon. Mr. LOUGHEED—It is a Bill to authorize the borrowing of $75,000,000 to meet certain public services.

Hon. Mr. McSWEENEY—What is the rate of interest?

Hon. Mr. LOUGHEED—It is not fixed. We are negotiating that at the very best rate possible, I might say.

Hon. Mr. BOSTOCK—It is a comparatively small matter.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Thursday, March 23, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (D-2), An Act to incorporate the Atlantic Park Association.—Hon. Mr. Choquette.

Bill (C-2), An Act to incorporate the Manitoba and Ontario Railway Company.—Hon. Mr. Talbot.

IMPORTATION OF GRAIN FROM N. W. PROVINCES.

INQUIRY.

Hon. Mr. DAVIS inquired of the Government:

1. What was the total export of all kinds of grain from Saskatchewan, Alberta and Manitoba in the year 1915?
2. How much of said grain did there go out through Canadian ports, and how much through Buffalo and other American ports?

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

Quantity of grain inspected out of Saskatchewan, Alberta and Manitoba, for crop year ended August 31, 1915:

	Bushels.
Wheat	107,916,750
Oats	35,537,800
Barley	4,953,000
Flax	4,001,600
Rye	123,000
Screenings	206,000
Total	153,038,150

Quantity of grain shipped through Canadian ports, Buffalo and other United States ports, for crop year ended August 31, 1915.

Canadian Ports.	Buffalo. Bush.	Other U.S. ports. Bush.
Wheat	55,326,874	20,149,133	2,070,393
Oats	15,067,942	1,205,202	241,173
Barley	1,758,355	690,854	78,666
Flax	1,071,928	2,947,875	464,920
Rye	1,039	—	—
Totals	73,226,138	24,993,064	2,855,152

Mixed grain, lbs. 7,234,025.

Screenings, tons, 6418-1560, 2756-820,25149-1495.

STANDARD OIL COMPANY IN CANADA.

INQUIRY.

Hon. Mr. DAVIS rose to call attention to the following clauses from a memorandum sent to the members of this House and signed by Mr. O'Farrell:

The Government of Ontario is a government inspired and controlled by Standard Oil. The Provincial Secretary for Ontario is the pliant and potent servant of Standard Oil. From that concern he receives a munificent income and its interests, are his interests, its power his power, its aims his aims, and he has untold millions at his disposal to see that the Parliament at Toronto and the Dominion Parliament at Ottawa are subservient to the views and wishes of the great Standard Oil Corporation. Your Government ought not to be ignorant of the relations between the Ontario Government and the Ontario Government railways and the Standard Oil Company. Nominally, Hon. W. J. Hanna, Mr. I. L. Englehart, and Mr. Wallace Nesbitt are trustees for the Imperial Oil Company, but the Imperial Oil Company is a mere selling agency for Standard Oil. It is a wheel within a wheel of the great Standard Oil juggernaut, and the sole business of Imperial Oil is to hide the activities and the profits and the machinations of the Great Oil Trust in its nefarious designs against Canada and the Canadian people.

In a case that came before Sir Henry Drayton on the 9th of February, in Ottawa, Hon. W. J. Hanna, provincial secretary for Ontario, Mr. I. L. Englehart, and the Standard Oil were caught in an attempt to establish cut-throat traffic rates on the Temiskaming and Northern Ontario railway, for the benefit of Standard Oil. The regular rate for carrying 5,000 tons of fabricated steel from Toronto to Regina is $86,-000. It was disclosed by Hon. W. J. Hanna at a hearing before Sir Henry Drayton that the Temiskaming and Northern Ontario railway, and the National Transcontinental railway, had agreed to carry this 5,000 tons shipment of steel from Toronto to Regina for $58,000. Although the regular rate from Toronto to Regina was $86,000, Standard Oil could get its shipment from Toronto to Regina for $28,000 less than Canadian merchants or manufacturers. These facts show the alliance between the Ontario

Government, the Ontario Government railways, the National Transcontinental railway, and the Standard Oil

and inquired if the Government intend to take any action on same.

Hon. Mr. LOUGHEED—I may say in reply to my hon. friend that the Government is in no way responsible for statements made by Mr. O'Farrell.

Hon. Mr. DAVIS—I wish to draw attention to the fact that this statement was made by Mr. O'Farrell, who is well known in this country as a mining man, of some standing in the community. My hon. friend says that the Government have nothing to do with the statement he makes about ministers of the Crown representing the province of Ontario. The fact remains, however, that in this statement I have read he says:

> The Government of Ontario is a government inspired and controlled by Standard Oil. The Provincial Secretary for Ontario is the pliant and potent servant of Standard Oil. From that concern he receives a munificent income and its interests, are his interests, its power his power, its aims his aims, and he has untold millions at his disposal to see that the Parliament at Toronto and the Dominion Parliament at Ottawa are subservient to the views and wishes of the great Standard Oil Corporation.

In the latter part of the same clause he states that the Federal Government is in league with the Ontario Government in connection with the hauling of the goods for the Standard Oil Company over the National Transcontinental railway at reduced figures which no other company can get. I think the Government should take some action. If a statement of that kind had been made by a member in either House he would be protected against prosecution, but the gentleman who has circulated this statement is walking around the streets of Ottawa, and at the present time is in the lobby of the Chateau Laurier.

Hon. Mr. LOUGHEED—What would you suggest?

Hon. Mr. DAVIS—If he made a statement about any private members of this House, publicly. as he has made about the ministers of the Crown in Ontario, they would have him up at once. I cannot understand why he is allowed to do it with impunity. The public will believe there is some truth in the statement if the Government is not prepared to take some action to prosecute the man, or investigate the charge.

This pamphlet, no doubt, has been scattered broadcast all over the country, and I suppose every member of this House has received a copy of it. When a respectable business man, largely interested in mining in this country, makes the statement that two or three ministers of the Ontario Government are in the pay of a foreign corporation, the Standard Oil Company, who have the record of stirring up all the trouble in Mexico during the last two or three years, and who have now turned their attention to this country and are starting to operate here, it cannot be ignored. This man makes the statement that the Standard Oil Company have got hold of and control two or three cabinet ministers in Ontario, and also I presume the Minister of Railways.

Hon. Mr. LOUGHEED—I do not wish to interfere with the free expression of opinion by my hon. friend, but no member of this House knows better than he that he has to take the answer which is given by the Government.

Hon. Mr. CLORAN—Yes, but it is no good.

Hon. Mr. DAVIS—If my hon. friend takes the position that the Government is willing to sit down under this charge——

Hon. Mr. LOUGHEED—You will have to take the answer.

Hon. Mr. DAVIS—I have nothing more to say about it.

The SPEAKER—Order.

Hon. Mr. DAVIS—I take it for granted that the Government do not care to take any action in this matter. I have drawn their attention to it. If it is a slander it should be proved to be a slander.

The SPEAKER—The hon. gentleman has to take the answer that is given.

Hon. Mr. DAVIS—All right.

Hon. Mr. CLORAN—But under protest.

CONTRACTS FOR MUNITIONS IN NEW BRUNSWICK.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. If any contracts or agreements were made in New Brunswick for the supply of shells or other munitions of war, or clothing or any other supplies of a military nature, and at what dates?

2. If so, who were the firms, manufacturers or others who obtained such orders, contracts or concessions?

3. What was the nature of such orders or contracts, quantities, prices and time for deliveries, etc.?

4. What were the prices on such shell orders, or other military material orders?

5. Did the York and Cotton Mills, of St. John, N.B., directly or indirectly receive contract for shells, and at what figures?

6. Did they hand over or sublet such order or orders to Messrs. Flemming and Co., Engineers and Iron Works, St. John, N.B., for a bonus of $5,000, and commission to be paid on work as done?

7. Who is the manager of the York and Cornwall Cotton Mills, in St. John, N.B.? Was he individually or as agent authorized, or instructed to turn over such contract, and if so, by whom? Who are the proprietors, owners or lessees of these works?

8. What was the reason for the subletting of such contract to the Flemming Iron Works, of St. John, N.B., and the date of such transfer?

9. Did the Government authorize such transfer or are they aware of it?

10. Was the Prime Minister informed by Mr. Thomas representing Lloyd George that a contract for shells had been given to the York and Cornwall Cotton Mills and assigned or sublet to James Flemming, of St. John, N.B.?

Hon. Mr. LOUGHEED—In asking this question the hon. gentleman will have to distinguish between the supplies furnished for the Government of Canada and those furnished for the Imperial Government through the Shell Commission, the latter commission being an Imperial Commission and only answerable to the Imperial Government.

ESCAPES OF ALIEN PRISONERS AT BANFF, ALTA.

MOTION.

Hon. Mr. CLORAN moved:

That an Order of the Senate do issue for a return of all papers and documents dealing with the escapes and the liberation of alien enemy prisoners from the detention camp situated at Banff, in the province of Alberta.

He said: When I, on behalf of the people, and the public safety, asked the Government if it was true that alien enemies were allowed—not only allowed, but enabled—to escape from those detention camps, I did so on specific information. I have as yet received no answer from the Government. When I asked for information regarding the escape of alien enemies from the detention camp situated at Amherst, N.S., the Government had the information but have not given it yet. The residents of that district know perfectly well that military officers were arrested, brought before the local courts, and tried for a crime which should not be tolerated by the Government. The crime was of such a grave character that the local magistrate did not feel himself justified in passing judgment upon it, and referred the matter to a court-martial held in the city of Halifax, N.S. The object of my inquiry was to find out what was the evidence adduced before the local magistrate who enlarged this case, and also to find the judgment and sentences of the said court martial. I have been unable to obtain that information from the Government, and I here charge them with delinquency of duty towards Canada. I have it on the best authority that those papers and documents which I asked for have been in the possession of the Government since last January. Where do I get my information? I get it from the semi-official organ of the Government, the Amherst News; and the Amherst News has taken the pains to send me its editorial on the subject in which I am very roundly denounced for having taken up this question. The Amherst News says that I have asked an idle question. I suppose that is the view of the Government—that I am asking an idle question. Well, I am satisfied that nine-tenths of the population of this country think it a very active and practical question. They want to know what is going on in the Dominion of Canada with regard to alien enemies in the detention camps. The Amherst News says that if I would only wait and have a little patience we may get the news later on. It says that the evidence taken before the court-martial in the city of Halifax in regard to these escapes and the conduct of the military officers responsible therefor, is in the hands of the Department of Militia in Ottawa, and until they see fit to publish that evidence and take action thereon I have no right, and no representative of the people has a right to ask for information. There is the doctrine laid down by a semi-official organ of the Government, and it furnishes justification for me to take action. I am acting in this matter purely on the information as given me. I have not been down to the Amherst Detention Camp to see whether holes have been tunnelled under the camp for 100 or 200 yards, by which prisoners escaped. I have not been down to Amherst Camp to find out how prisoners got away through the efforts of a German pedlar and a certain man named Samuel Seaman—I give his name now. I told the

Government three weeks ago that if they wanted the names of the people who gave me this information I was prepared to give them so that they could prosecute an inquiry. They have not done so. Now I give names, and let those individuals or the Government bear the responsibility. The hon. senator from Antigonish the other day—I was sorry for him—attempted to put a question that was very relevant but not in order, in regard to the name of the commanding officer of that camp, Col. Morris, one of the Empire's soldiers, a man with a reputation as an honest, honourable, upright citizen, and with a record as a soldier that does him credit and his country credit both abroad and at home. I never named any officer particularly as responsible for this condition of things in that detention camp, but the Government's friends in Amherst put him up as a man of straw to say that there was nothing against Col. Morris. I never said there was. I did not know Col. Morris, and had no intention of naming him, not knowing him.

Hon. Mr. TAYLOR—Mr. Speaker, I rise to a point of order.

Hon. Mr. CLORAN—What is it now? Is it too much for you?

Hon. Mr. TAYLOR—Sit down.

Hon. Mr. CLORAN—What is the point of order?

The SPEAKER—Order.

Hon. Mr. TAYLOR—The hon. gentleman has a motion on the paper regarding the escape of aliens from the camp at Banff. The discussion has nothing to do with the motion that is on the Order Paper.

Hon. Mr. CLORAN—The point of order is well taken. If the hon. gentleman had waited just one second more I would have finished with that subject and would not have been called upon to answer my hon. friend from Antigonish to-morrow in regard to the matter. I am sorry you left Col. Morris in the cloud; I was trying to pull him out of it, and now you leave him there. So much the worse for Col. Morris. In regard to the motion now before this hon. House, I may say the same thing as I said in regard to the detention camp at Amherst, that I have no personal knowledge of the facts, no more than any minister in the Government has a personal knowledge of the crimes that are committed in his department. All he knows is from correspondence, interviews or hearsay evidence. When I brought this motion to the attention of the House I did it on the strength of a document that I received, which reads as follows:

Box 18, Calgary Alta., 7/3/16.

Senator Cloran.

Dear Sir,—I see by local papers that you are asking for a return in connection with interned aliens. I hope you will extract—

That is a good word.

—from the Government a return of all escaped prisoners from camps throughout the Dominion. There are about 400 Austrians at Banff, Alta., the Germans being in a separate camp elsewhere. The Banff camp was, until January last, under the command of Major Duncan Smart. During his time it was publicly stated in the press, on two or three occasions ,that as many as seven prisoners had escaped at one time. I know that apart from escaping, there is no difficulty at all in obtaining the release of any interned. Scores have been let out. The requirements are two affidavits as to their character. These are done by a lawyer. Major D. S. is a lawyer. There was an understanding that the fee was $50 in each case payable by the prisoner to the lawyer in advance of the escape.

(Signed) Arthur Lonsdale.

These are direct and specific charges communicated to me by a stranger to a stranger, but to a man whose duty it is to call the attention of Parliament to this condition of things. All I ask in this motion is an official confirmation or an official denial that such a state of things exists. I have no charges to make. I am asking the Government to produce the papers and documents regarding these cases. They have declined to do so. I say they are delinquent in their duties towards the people of Canada, and it is a crying shame that private individuals have to look after and put into force the law enacted for public safety. I have letters from the Daughters of the Empire in the Northwest in regard to these German aliens. What are we here for? What are you here for? Are you not here to look after and protect the rights and interests of the people of this country? Is each individual of this population of Canada to take charge of these affairs and find out for himself what is going on? We ought to be ashamed of the role we are playing in this part of the war. We are sending our sons and relatives to bleed and die in the trenches, and we are allowing the same enemies that kill them to stalk abroad in this Dominion of Canada. A celebrated statesman in the United States said one day that eternal

vigilance was the price of liberty. I say, paraphrasing his words, that vigilance in Canada is the price of our national safety. The German peril was laughed at a year before the war. The German peril to-day exists, not only on the continents of Europe, Asia and Africa, but right in Canada. It is with us here and stalks abroad through our great domain, without let or hinderance. It blows up our bridges, fires our Parliament Buildings and destroys our national treasures, burns down and destroys our factories and workshops by fires and explosions. It attempts to wreck our canals. It holds position and office in the public service of this country, federal, provincial and municipal. It wields the pen in the public press in the Northwest among Ruthenians and the German element. It holds forth in the pulpit and even on the judicial bench. In Western Ontario, according to the court report, there are magistrates on the bench who are pro-German, not merely in their private life, but practically pro-German in their sentences and judgments on that bench, and, most lamentable of all, this peril is in our schools. German lady teachers have been obliged to leave and none to soon; they had been teaching German sentiments to the children. What I say I know from a father of one of these young ladies. There exist in the schools of the Northwest, where alien enemy races have flocked during the past few years, all these things of which I have spoken. At a school investigation in the province of Saskatchewan a few weeks ago it was shown by sworn evidence by a Russian ally that the schools under the Ruthenians were nothing but hives of pro-German feeling, sentiment and education. We elbow the German peril at every turn and are unconscious of the contact until the explosion takes place. We have it even in our large hotels, where napkins are flourished over the heads of the guests when a German victory is announced. It is in our social clubs, and our King is surrounded by German butlers, and the Kaiser is held up for admiration, as in Western Ontario. No wonder the soldiers wreck these institutions, not of treason, but of enmity, right in our midst. No wonder they did so in Calgary. No wonder they did so in Windsor, Ontario, where the alien enemy is in large number. I defy any hon. gentleman on the floor of this House to stand up and disprove any of these facts that I have brought to the attention of the country through the medium of this hon. House. Now my task is done. It is up to this House and up to the House of Commons to compel the Government to take the necessary measures and all proceedings required to protect the people of this country against these actions and activities of the alien enemy in our midst. We have talked for the past week of registration here in Canada of native born citizens. I say it would be more in line and more necessary at the present moment that a complete registration of every alien enemy be taken throughout this broad Dominion, that every one of his steps should be followed to see what he is doing, and that has not been done. For my own part in this hon. House and in this new building, this Museum, I have prevented several Germans from carrying on their trade, from the newsboy up. I said to one boy "You are a German," and I was lamenting the destruction of the American Club in Toronto. He admitted that he was a German, but he said, "Why, sir, there were explosions and fires before the war." He was a boy about 12, well dressed, very intelligent and bright as are all Germans, and we had him employed in this building. I say it is up to the Government to prevent this. I have no hatred against the German, Austrian or Turk, but when we are fighting these races it is up to me to protect myself, and it is up to me to secure to the people I represent the same protection. I hope public opinion will force the Government to take the necessary measures and precautions to protect the people of this country and see that the law of public safety is carried out.

The motion was agreed to.

THE SPEAKER'S UTTERANCES.

MOTION.

Hon. Mr. POPE moved:

That this House deeply regrets that in more than one public speech, and particularly in a speech at a public meeting held at Ottawa on the twenty-seventh day of June last, His Honour the Speaker of the Senate has made injurious and unjustifiable remarks about members of the Senate, and this House is of opinion that it is highly improper for any senator while holding the high office of Speaker to publicly engage in violent public controversies and make statements calculated to throw discredit upon this House or the members thereof?

The SPEAKER—Does the hon. gentleman want to proceed with this motion?

Hon. Mr. POPE—Yes.

The SPEAKER—Will the Hon. Mr. Power please take the Chair.

Hon. Senator Power took the Chair.

Hon. Mr. POPE—I have had considerable difficulty in bringing this question before the attention of this hon. body. With the various efforts that have been made to obstruct me, all of which, I presume, are according to the regulations and rules governing this hon. body, I have no fault to find. I am not prompted in this matter in the slightest degree by any personal feeling either for or against the hon. Speaker of this House, or the particular question with which he was dealing when he made the speech in which he used the unfortunate utterances which have been recorded in the public press of this country. When I first brought up the matter I thought I had only to call the attention of the hon. Speaker to the report of his speech published in Le Droit, Le Devoir and some other papers which I do not produce, to have the matter explained; therefore, in order to call his attention to this matter I gave the following notice:

> That he will call the attention of the Senate to certain remarks said to have been made by His Honour our Speaker, accusing the English members of the Senate of being fanatics, and saying also that he has a letter from the Prime Minister which, if read, would force the resignation of a member of the Cabinet.

I thought it did not matter whether I had crossed the "t's" properly or dotted all the "i's" in the notice, or conformed strictly to precedent, so long as I called his attention to the word "fanatic" he would at once avail himself of the opportunity to make an explanation. It is a word that is bandied about in Canada, unfortunately, too much. It is a word that has been used in the two central provinces of Ontario and Quebec too much by public speakers, by newspapers, and by even some magazine writers. The hon. senator from North Grey the other day gave us the dictionary definition of the word "fanatic" as a man wild with religious frenzy, or crazed by extreme religious views. Now, while I am perfectly prepared to admit that a large majority of this hon. House are strictly religious people—

Hon. Mr. McSWEENEY—Hear, hear.

Hon. Mr. POIRIER—No exception.

Hon. Mr. POPE—My hon. friend here desires that I should make no exception: therefore I shall extend it to all the hon. members of this House at his special request. There might possibly be a frenzied man nominated to the Senate, who could be described as a fanatic, but certainly the majority of the hon. gentlemen who compose this Chamber are not in that class. Being a native of the province of Quebec, and having lived there all my life—I regret to say a very considerable portion of the time in public life—I am not afraid of any application of the word fanatic to me as far as I am personally concerned, because I am oo well known to all the nationalities and creeds in that province. But the statement attributed to the Speaker has a bigger significance than that, being retroactive and comprehensive, and I regret sincerely that on my simply pointing out the matter he did not at once seize the opportunity to make an explanation. However, he saw fit to raise a technical objection, which he had a perfect right to do, as far as I understand, in view of decisions by the several Speakers who have been called upon from time to time to rule upon such questions.

Referring to the Debates, I find that the hon. Speaker rose in the Chamber and said: "I consider it a direct attack upon me."

I had endeavoured, in my first remarks, to point out that I had no attack to make, and I say now that I make no attack on His Honour the Speaker. It is a question of the language, if he used it, being an attack upon the hon. members of this House, and he had an opportunity of saying whether it was true or not. The hon. Speaker said:

> I consider it a direct attack upon me, based on the assumption that in a speech at a public meeting held in Ottawa on the 27th day of June last, His Honour the Speaker of the Senate made injurious and unjustifiable remarks about the members of the Senate. This motion is a sequence of the reading the other day of what was assumed to be a correct report of the speech delivered by me on the aforesaid date. When asked if the report was correct, I refused to answer immediately, because I claimed the right to have two days before being obliged to reply. My refusal to answer was taken, by the hon. gentleman who put the question as an admission, though I then set forth that I was not refusing to give a definite answer but merely claiming my right to give that answer at the proper time.

Notwithstanding that it had been on the Order Paper, irregularly so as decided by the Speaker for two or three days, he had had the opportunity of reading the words to which any hon. member of this House would have a right to object; nevertheless, he did not think it worth while to take into

consideration the feeling of the large majority of this House sufficiently to give an explanation, but went on to say:

> The motion now before the House positively assumes that His Honour the Speaker of the Senate made injurious remarks about the Senate. I might have the right to complain of the procedure followed in this case, but I shall not do so. Without further discussion I shall give immediately the reply expected by your hon. House. My answer is this: The translation of the remarks attributed to me which I have read in the Debates of this House is not a correct report of my speech. If the translation is a good one—and I have no reason to believe it is not—then I may say that neither the French report nor the English translation renders the sentiments which I expressed in that speech. I have been incorrectly reported.

This is his statement regarding the unfortunate language that is to be found in the report of his speech placed upon the Debates the other day. I have not in my keeping the responsibility of the dignity of this House to the same extent as hon. gentlemen who have been here many years before me, who make up the majority of this House and every one of whom contributes to the dignity and importance of this hon. body. Therefore when that answer was given I thought it only fair to delay a day or two until I had an opportunity of consulting some of the older members of this House to ascertain if the answer of the hon. Speaker was satisfactory to them. I must say that I did not find any hon. gentleman of this House whom I consulted who felt that it was a complete or definite answer to the charges contained in the resolution and the report made by the hon. Speaker. That has led me to push this matter still further with the hope that at this late hour the hon. Speaker of this House will come forward and absolutely and positively deny having used the language that we object to, namely, that the large majority of this House were fanatics upon a certain question because they voted against his ruling. That can be the only satisfactory solution of this question— that the hon. Speaker of this House denies absolutely and positively having used that language in public. I could go much further in the discussion but there are hon. gentlemen in this House with greater experience than I have who can speak upon this question with authority. So far as this House is concerned, I do not take into consideration a considerable portion of the speech attributed to the hon. Speaker on that occasion. While he occupies the responsible and dignified position of Speaker of this House or of any other House, he should make an effort during his term of office to keep out of those extreme controversial questions which agitate public opinion in Canada. I think it would not be going too far if hon. gentlemen of this House expressed that view. However, that is for hon. gentlemen to decide for themselves. In so far as that portion of his speech was concerned it was largely a splendid eulogy of himself by himself, to which I am sure no hon. gentleman should take exception, because I presume there is no better authority in Canada upon that particular subject than the hon. Speaker himself. That portion of his speech reminded me of the old rhyme of the little boy who sat in the corner eating his plum pie:

> He put in his thumb,
> And pulled out a plum,
> And says, "What a great boy am I?"

Every time he pulled out a plum there was less pie; and looking over the results of the hon. gentleman's efforts, as shown in recent legislation passed in the province of Manitoba, I must say the longer he continues to eat plums the less pie he seems to have. However, that is his misfortune; it is no reason why he should feel discouraged on that particular point. But, hon. gentlemen, I think this hon. body is not going too far when it asks the hon. Speaker of this House to be more definite than I find his reply on the Order Paper of the 20th instant. Therefore, in view of that, I move, seconded by the Hon. Mr. Taylor, the motion standing in my name:

Hon. Mr. POWER (Acting Speaker)—Is the House ready for the question?

Hon. Mr. CHOQUETTE—Surely it will not be said that no man, especially in the ranks of the party who appointed the Speaker, should rise in this House to protest against this motion, and a defence from the other side would be welcome; but as one of the personal friends of the Speaker, I am going to say something on his behalf to defend him from this indirect and unjust attack upon him, and the more so because one of his political friends refused to do it. I do not belong to the party of the Speaker, in fact, he has been my opponent in politics for years. We have opposed each other very strongly on the hustings, and when I was in the other House he berated me before the people and I berated him, but I have always respected him as a man of courage

and energy, and especially as a man who has done more to bring his party into power in the province of Quebec than any man in either House. I am ashamed to see that not a man among his political friends in this House rises to defend him, especially after his effort to smooth away the unfortunate aspersion contained in the resolution of his political friend. I have no brief to defend the Speaker; he has not even said a word to me about it. I have not spoken to him about it, because, after the answer of the Speaker yesterday, anticipating the motion in a friendly way, I thought that the matter was over, and that the hon. member for Compton ought, as is customary in the Senate and the other House, to take the answer of a minister, or a member, to a question as final. But though I have no brief to defend the Speaker, I would not have it said that nobody on this side of the House, when there is not a man to rise on the other side, had the courage to defend his friend. I was merely going to raise a point of order when I saw the hon. member for Compton standing up to proceed with his resolution. The point of order in my mind was to the effect that the Speaker, having given an answer without any protest at the time, it ought to have been taken as ending the incident. But I was not sure of the point, and thought it better to let the hon. member go on with his motion. Speaking about pie, I would say to the hon. gentleman for Compton that if he has good pie—I mean a seat in this House—he owes it very much to the Speaker who fought so hard in our province to place his party where it is now and His Honour the Speaker ought to be thanked instead of being abused by his political friends. So if it is in order to go on with the resolution I for one must stand up to oppose it, first, because the motion affirms statements which have not been proven.

Hon. Mr. LOUGHEED—May I have permission to suggest that my hon. friend who has moved this resolution and spoken upon it should postpone further discussion until a small committee of the House wait upon the Speaker and ask him if he used the words attributed to him reflecting on the Senate. Now, I understand that his honour the Speaker has read a declaration to this House denying the accuracy of the report of his speech in question. A denial of the accuracy of the report might not possibly apply to the objectionable words referred to in the resolution. That denial might possibly apply to some other portion of the speech. Now, what the House really wants to know is if his honour the Speaker used words derogatory to the members of the Senate. I therefore think that the opportunity should be given his honour of categorically denying that he used those words, and that we should not proceed with the discussion of this motion until that opportunity is given his honour.

Several hon. MEMBERS—Hear, hear; that is right.

Hon. Mr. LOUGHEED—Therefore, if my hon. friend will permit this proposition to mould itself into the form, say, of a resolution I would suggest that the Hon. Sir Mackenzie Bowell and the Hon. Senator Power be a committee to wait on his honour the Speaker to ask him if he has used words derogatory to the Senate, as complained of in the motion, and then report to this House.

Hon. Mr. POIRIER—Add Hon. Mr. Bolduc's name to the committee.

Hon. Mr. CLORAN—I would suggest that the name of the Hon. Senator Dandurand, or the Hon. Senator Choquette, be added to that committee.

Hon. Mr. LOUGHEED—May I suggest that the Hon. Senator Dandurand and the Hon. Senator Bolduc should be added to the committee?

Hon. Mr. CLORAN—Yes, you see you want two from the province of Quebec.

Hon. Mr. LOUGHEED—Then will my hon. friend who has moved the resolution, and the House, permit the discussion to be postponed until that committee has an opportunity to wait upon his honour?

Hon. Mr. DANDURAND—With the permission of my hon. friend who has the floor I may say that I rose about the same time as he did to make a suggestion somewhat on the same lines as his, that is to say, it would have had the same object. My idea was to move the adjournment of the debate in order that I could give the following notice of a question:

Senator Dandurand will ask the Speaker tomorrow if the statement made by His Honour the Speaker on the 21st March inst., that the report of his speech delivered on the 27th June last, which appears on page 185 of the Senate Hansard, is incorrect, applies to the words, "fanatic majority rose up against me on a question of patronage."

That is what I had intended to suggest.

Hon. Mr. CLORAN—It comes to the same thing.

Hon. Mr. LOUGHEED—That motion does not include all the objectionable remarks which the Speaker is reported to have made in regard to the Senate.

Hon. Mr. DANDURAND—I took it for granted—I confess that I had not read the whole speech from which my hon. friend from Compton read an extract—that the objectionable expression was the qualification of a certain number of the senators in this House as being fanatical. I thought that that was the portion complained of.

Hon Mr. POPE—Excuse me; if the hon. senator will read the first notice that I gave, he will find all the objections there.

Hon. Mr. LOUGHEED—If my hon. friend will include all references to the Senate or any representative thereof, I see no objection to the motion.

Hon. Mr. McSWEENEY—The committee can settle that.

Hon. Mr. CHOQUETTE—I am very anxious that this matter should be settled in an amicable way. If the suggestion of the leader of the Government had been made before the hon. member from Compton had spoken, I would have voted for it at once; but I do not think it is fair, and it would be very unjust, at least as far as the Speaker is concerned, to accept that suggestion after what the member for Compton has said about him. His speech is one that would appear in the press all over the country and the words he used indicate that he accepted the report as true.

Hon. Mr. LOUGHEED—All right, I withdraw the suggestion, and the debate can proceed.

Hon. GENTLEMEN—Hear, hear; and no, no.

Hon. Mr. LOUGHEED—I am quite willing that the House should vote on the question.

Hon. Mr. CHOQUETTE—I don't say that at all.

Hon. Mr. LOUGHEED—I don't know what else you have said.

Hon. Mr. CHOQUETTE—I say I don't consider it fair that we should spread around the country what the hon. senator from Compton has said without it being contradicted. I am quite willing to listen to all the suggestions the hon. leader of the House may make. I am willing that the committee should be appointed, and that the position of the Speaker should be defined. I was going to say that I challenge what is said in the first line of the resolution. It says—

That this House deeply regrets that in more than one public speech, etc.

What is the proof of that? Why does the hon. member from Compton put before this House one line of any other speech except the one he brought the day before yesterday? We see from that the animus against the Speaker——

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—Animus is a strong word.

Hon. Mr. CHOQUETTE—There is nothing in animus; if I understand the word, it is the intention; nothing bad can be said about that; the animus or the idea of the hon. member for Compton is shown in accusing the Speaker of having not only on one occasion but on many occasions, said things uncomplimentary to the members of this House.

Hon. Mr. MITCHELL—There is no question as to many speeches.

Hon. Mr. CHOQUETTE—I say that when the hon. member from Compton puts on the records of this House that the Speaker in more than one speech has used such expressions, it would lead the members of this House to believe that such a charge was admitted.

Hon. Mr. TAYLOR—May I suggest to the hon. member to let the discussion go on and I will produce a number of speeches which His Honour the Speaker made in Essex, which were not far from being as strong as the speech complained of.

Hon. Mr. CHOQUETTE—I am dealing with the question before the House.

Hon. Mr. TAYLOR—That is the question before the House.

Hon. Mr. CHOQUETTE—We are asked to vote upon that paper, and to declare that the hon. Speaker on many public occasions, in many public speeches, said this

and that. I say that is not true. We will make a great mistake if we adopt this resolution. The Speaker of the House has declared from his seat that the report complained of is incorrect. I contend that statement ought to have been accepted by this House. The hon. member for Compton has said he is not well versed in Parliamentary rules: that is obvious; but he ought to know that when a member in either House brings up a question of privilege based on a newspaper report, he is bound to take the responsibility of it and warrant the accuracy of it. I quote May, 11th edition, page 250, where he says:

> Attention may be drawn to such statements if the member who puts the question makes himself responsible for their accuracy.

Well, he has said that he knows nothing about it; that he read a translation of the speech in a paper, which found it in a paper that he never reads, a paper which is fighting the good cause of the French people in Ontario—

An hon. GENTLEMAN—Conservative?

Hon. Mr. CHOQUETTE—I do not say Conservative; it is pretty independent in politics so far as I know. Taking a portion of the translated report of the speech supposed to have been made by His Honour the Speaker, but which the Speaker declares is incorrect, the hon. gentleman asks this House to censure the Speaker for this supposed speech, and to challenge the Speaker when the Speaker himself says the report is not correct. Under all these circumstances we ought not to adopt this motion. The hon. member for Compton has made his speech, and given expression to his feelings towards the Speaker, though the Speaker had declared in advance that the report was not correct; the matter ought to have ended there. The hon. member for Compton should now withdraw his motion, having given expression to his views on the question. We would have on record the views of the hon. member for Compton, and the denial of the Speaker, that the report is correct. We should not take up the time of the House discussing the question any further. If we have to vote on it I shall vote against the motion, firstly, because the very first statement in the motion is not true; and secondly, because the Speaker has declared that the report complained of is not correct, and that settles the matter. Nevertheless, if any one wishes to move in some other way, I shall not stand in his way.

Hon. Mr. POWER (Acting Speaker)—Would the House allow me to say a word on this rather unpleasant subject? I should like to know first whether the hon. member for Compton proposes to withdraw his resolution?

Several hon. GENTLEMEN—No, no.

Hon. Mr. POWER (Acting Speaker)—I ask the hon. member for Compton.

Hon. Mr. POPE—It stands.

Hon. Mr. POWER (Acting Speaker)—Under the circumstances, may I be permitted to suggest a course which seems on the whole most advisable under the unfortunate circumstances in which the House finds itself. The hon. gentleman for Compton read an alleged report of a speech delivered by His Honour the Speaker somewhere, I think, in the city of Ottawa. The hon. gentleman from Compton asked His Honour the Speaker if the report in the newspapers was an accurate report of what he had said at this meeting. His Honour the Speaker has submitted to the House, and for the information, I assume, of the hon. gentleman from Compton, as well as the other members, that the report was incorrect. The hon. gentleman for Compton, in reply to that, very naturally asks, "Well, how was it inaccurate? Was it in any serious matter? Did the statement of His Honour the Speaker—that the report was not a correct one—mean to strike out of that report the language which was not complimentary to the Senate. Now, I think, hon. gentlemen, if you will allow me to make the suggestion, that the better plan is to instruct this committee which you propose to appoint, and which I do not very much like to serve on, to ask His Honour the Speaker in what respects this report of his speech in Ottawa on the 27th June last, which appeared in the newspapers, is inaccurate? That seems to be fair and reasonable. If His Honour the Speaker did not use the language which is uncomplimentary to the Senate, then the committee will report to this House that it is so, and of course we will take the statement of His Honour the Speaker as we would take the statement or any other hon. member, as closing the controversy. If His Honour the Speaker is able to inform the committee that he did not use the language or any language which was offensive to the Senate and reflected improperly on the Senate, then I presume the matter ends; but with that qualification I think the suggestion made by the hon. the leader of the Government is a judicious one and may enable us to

get out of this difficulty without further unpleasantness.

Hon. Sir MACKENZIE BOWELL—It is a very great pity that the suggestion thrown out by the leader of the Government here was not accepted without discussion. If I am to act on that committee, I am fully in accord with the suggestion made by the hon. the leader of the Government and which has been accepted by the Acting Speaker. While I disapprove of some portions of the speech which were read, I should not deem it my duty as a member of that committee to inquire whether His Honour the Speaker gave expression to the sentiments attributed to him. He made reference to an event which took place in 1860—at least the report says so—in the town in which I have lived since I was 9 or 10 years of age. I take objection to that, but I do not propose to ask him whether he made that statement or not. I may say that the statement that the Orangemen in 1860 prevented the Prince from landing in that city is incorrect, and that the Speaker has misread history; but that has nothing to do with the matter now being considered. Should the committee be appointed—and I hope it will be—they will confine themselves entirely to the wording of the resolution which refers to the Senate, and so admirably suggested and pointed out by the Acting Speaker. That is all we care about. We are not going to discuss with the Speaker what his views are on the bilingual question. I fail to see what events of 1860, supposed to have occurred in Belleville, have to do with the bilingual question at the present time. I happened to be a member of the House of Commons when the Speaker was first elected to that Chamber. I have always been on the most friendly terms with him, and personally I regret exceedingly that this difficulty has arisen. If we can simply get a statement from him—and that is all that the member for Compton has asked—that he never uttered any sentiments that were a reflection on the Senate, I am satisfied that the Senate would accept that denial. If the hon. member for Grandville (Hon. Mr. Choquette) will permit me, I will take exception to one remark he made. I do not think he was justified in attributing animus to my hon. friend from Compton because he objects to certain reflections thrown upon the members of the Senate if the report complained of is correct. Those who know my hon. friend, and those who know most of the members of the Senate, are not prepared to accept as applicable to them the term "fanatics," and those who know me would not attribute the use of that word myself, when we object to language which is considered an insult to the members of the Senate, we are too well known as public men to be open to the charge of being actuated by animus.

Hon. Mr. BELCOURT—May I be permitted to suggest that the matter ought to end here. The conduct of this House and of the public business would probably be better served if the matter were dropped, and I will state briefly why. I quite agree with my venerable friend that the member for Compton is not to be charged with any animus in this matter. If any senator chooses, on a public occasion, to charge the majority of this House with being fanatics, I thoroughly agree that he deserves reproach. The hon. gentleman from Compton was within his rights when he brought the matter up in the House in the way he did. Now, what rule would apply if a statement of that kind had been made within the precincts of the Chamber. Bourinot at page 473 says:

> **Calling in question a member's words; whatever a member says in explanation—whether relating to the words or the meaning of his speeches—is to be taken as true and not afterwards called in question. The words which he states himself to have used are to be considered as the words actually spoken and the sense in which he says they were uttered, as the sense in which they were taken to be in the debate. If a member disavows the use of words attributed to him—**

And those are the words I want to ask the hon. gentleman to ponder over—

> **The matter must end.**

Now, what has occurred? My hon. friend from Compton says the Speaker at a public meeting used certain words, and specifies what they were, and I take it for granted —and I think hon. gentlemen will agree with me—that the worst thing about it was the use of the word "fanatic." The House was fully aware of what the complaint was. In other words, the issue was well defined. The Speaker comes to the House and says it was not correct.

Hon. MEMBERS—No, no.

Hon. Mr. WATSON—He has not said anything of the kind.

Hon. Sir MACKENZIE BOWELL—That is all that is asked.

Hon. Mr. BELCOURT—The Speaker from his place in the House says: "I have been incorrectly reported." Now, at the time he had, as we all had, in our minds the words attributed to him by my hon. friend, and he meets it with a straight disavowal and says: "I am incorrectly reported," and to use the words of Bourinot he "disavows the use of the words attributed to him." He says "I have been incorrectly reported." What is the inference? The inference is that he did not use the language. If hon. gentlemen desire to follow the rulings of this House I do not see how they are going to get over the rule quoted at page 473, Bourinot. I do not think the hon. gentleman from Compton is guilty of any animus, and if he wanted to give us conclusive proof of that he would withdraw his motion.

Hon. Mr. POPE—In the first place, the report of the speech complained of has been in the public press for eight months. It is no sudden thing.

Hon. Mr. BELCOURT—The Speaker may not have seen it.

Hon. Mr. POPE—Oh absolutely. A man does not make those speeches and have them fully reported and not look at them. We are all vain enough to read our own speeches. I assume the Speaker of the House would peruse his speeches. As for the word "animosity," every hon. gentleman knows that my hon. friend made a slight mistake. He was borrowing some of the extravagant English language, and we understood that. Many hon. gentlemen who have been much longer in this chamber than I have been, and who have in their keeping the dignity of this honourable body to a far greater extent than I have, gave me the impression that they were not satisfied with the answer of the Speaker. The proposal to appoint a committee is excellent, and would give the Speaker an opportunity to explain what he did say, which is exactly what my hon. friend from Ottawa desires. I am surprised that he has not accepted it. If he would do so it would give me great pleasure to withdraw my motion.

Hon. Mr. SPROULE—If the motion is assented to, of course I have nothing to say; if, on the other hand, it is not accepted, I should like to say a few words on the subject. The question before this House is whether the words attributed to the Speaker convey an improper reflection upon hon. members of this House. The hon. Speaker has not yet denied that he used such language. He has said that he was not correctly reported. He was asked if the statement attributed to him was substantially correct. His reply was: "I have been incorrectly reported." His honour would be incorrectly reported if one word of that report was different from what he said, or if a word were improperly spelled or translated, or if in any particular it was different from the statement actually made by him. In that case his reply would be a correct one. Above all others, his honour the Speaker would naturally be expected to maintain the traditions and dignity of the House and of the members over whom he presided, and to avail himself of the earliest opportunity, if by any accident remarks reflecting on the Senate were improperly attributed to him, to set himself right. It seems to me that that is the course which any hon. member of this House should pursue and it is doubly the duty of the one who is charged with the responsibility of presiding over this House. I understand that the hon. leader of the House intends to go on with his motion. That being the case, I do not desire to take up the time of the House with further remarks.

Hon. Mr. POWER (Acting Speaker)—I think the proper course would be for some hon. gentleman to move that this debate be adjourned until, say, Wednesday, and then when the debate has been adjourned, the motion of the hon. leader of the House would be in order.

Hon. Mr. SPROULE—I move that the debate be adjourned until Wednesday next.

The motion was agreed to.

Hon. Mr. LOUGHEED—Then I shall move for the appointment of the committee.

The ACTING SPEAKER—It is moved by the Hon. Mr. Lougheed, seconded by Hon. Mr. Bostock, that a committee of four members be appointed to procure an interview with his Honour the Speaker and to ascertain from him what portions of the report which refer to the Senate or members of the Senate are inaccurate and report to the House before Wednesday next.

Hon. Mr. LOUGHEED—I suggest the names of Sir Mackenzie Bowell, the Acting Speaker (Hon. Mr. Power) and Hon. Messrs. Dandurand and Bolduc.

Hon. Mr. CHOQUETTE—I rise to a point of order. Can that motion be made without a notice?

Hon. Mr. POWER (Acting Speaker)—I have become rather rusty on points of order, as I have not been practising much lately. The motions which do not require a notice are mentioned in rule 25 which says:

> No notice is required for any of the following motions:
> (k) Raising a question of privilege.

That has been raised. Then rule 41 says:

> Whenever a matter or question directly concerning the privilege of the Senate or of any committee or member thereof has arisen, a motion calling upon the Senate to take action thereon may be moved without notice, and shall until decided unless the debate be adjourned, suspend the consideration of other motions, as well as the orders of the day.

The motion to appoint this committee is really part of the question of privilege. We have not disposed of the question of privilege until we have disposed of that motion, and I rule that the point of order is not well taken.

Hon. Mr. CHOQUETTE—I wish to discuss the point of order before a decision is given. I cannot be choked off like that.

Some hon. GENTLEMEN—Chair, chair.

Hon. Mr. CHOQUETTE—If the Speaker has decided, all right, I am choked off, but I do not think it is fair.

Hon. Mr. POWER (Acting Speaker)—Certainly I did not wish to be guilty of any discourtesy to the hon. gentleman from Grandville. I was under the impression he had raised a question of order which I was to decide, and I decided the question to the best of my ability.

Hon. Mr. CHOQUETTE—But I was not permitted to discuss it.

The motion was agreed to on a division.

THE LOAN BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 60, An Act to authorize the raising by way of loan of certain sums of money for the public service. He said: The purpose of this Bill is to authorize the Government to negotiate a loan for $75,000,000 to be applied for the public service. As hon. gentlemen will observe in the second clause of the Bill, its application is to be for the paying of maturing loans and obligations of Canada and carrying on the public works authorized by Parliament, etc. This measure should have gone through some days ago, but owing to a mistake having arisen it was postponed, and as the securities are being put upon the New York market to-morrow morning, it is desirable—in fact necessary—to be able to assure the investing public that the legislation has been finally passed.

Hon. Mr. POWER—But you would not borrow from those wily Yankees?

Hon. Mr. LOUGHEED—I have not any intention of investing in it myself.

Hon. Mr. BOSTOCK—I thought perhaps my hon. friend might have explained why it is necessary to have this amount of $75,000,000 at the present time? Do I understand that the Government have almost or entirely exhausted their borrowing power which they had at the end of last session, and does this apply as part of the $250,000,000 that the Finance Minister stated to the country when he was making his Budget speech, it would be necessary to borrow and increase the public debt to that amount during the coming year? If so, I presume this is not the only loan Bill that will have to be put through the House this session.

Hon. Mr. LOUGHEED—A distinction must be drawn between this and the war appropriation. This is for civil purposes, and the reason for putting the loan on the market now is that it is a favourable time. It is thought that it can be negotiated upon much more favourable conditions now than probably any later period. There is just a possibility of the financial market of the United States being very seriously disturbed by complications with Mexico, and it has been arranged that this loan should be put on the market at the present time.

Hon. Mr. McSWEENEY—It has been underwritten, has it not, by a syndicate?

Hon. Mr. LOUGHEED—I understand it has.

Hon. Mr. McSWEENEY—The hon. leader cannot give us any particular information more than is contained in this Bill?

Hon. Mr. LOUGHEED—No.

Hon. Mr. BELCOURT—Does the hon. gentleman know in what form the security will be given?

Hon. Mr. LOUGHEED—A third of it will be payable in five years, a third in ten

years, and the remaining third in fifteen years.

Hon. Mr. BELCOURT—In the form of debentures?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BELCOURT—They are all being sold on the United States market?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BELCOURT—Yankee money.

Hon. Mr. LOUGHEED—Yes. As my hon. friend knows, we are practically precluded from raising any money in the English market at the present time. We have made certain financial arrangements with the Imperial Government as to our war expenditures.

Hon. Mr. BELCOURT—Why not take up some of it here in Canada?

Hon. Mr. LOUGHEED—We have already taken a loan of $100,000,000.

Hon. Mr. BELCOURT—But it is over subscribed.

Hon. Mr. LOUGHEED—A substantial part of that is yet payable, and will not be paid until August.

Hon. Mr. BELCOURT—Can the hon. gentleman tell me what is meant by clause 3? I cannot quite follow it.

Hon. Mr. LOUGHEED—The meaning of that is this: if an amount is temporarily raised under this loan, it shall not exceed the security. It does not operate as an extinguishment of the security.

Hon. Mr. BELCOURT—If the whole of it is not subscribed.

Hon. Mr. LOUGHEED—Yes. A certain proportion of it might be hypothecated or pledged.

Hon. Mr. DANDURAND—The question came up previously in this House, and the judgment of the Privy Council was cited, in which it was claimed that once a bond was pledged and redeemed its life was exhausted, and it could not be negotiated further. I suppose that is to cover this interpretation of the law.

The motion was agreed to, and the Bill was read the second and third times and passed under suspension of the rules.

THE NEW PARLIAMENT BUILDINGS.

INQUIRY.

Hon. Mr. BOSTOCK—Yesterday afternoon, after the House adjourned, we were privately asked to look at some plans in the Railway Committee rooms, which I understand were the plans proposed for the new buildings. My hon. friend had not made any statement to this House, and I thought it would be of interest to all of us if my hon. friend would say what course is to be pursued in regard to those plans, and what opportunity the members of the Senate will have of expressing their opinion in regard to them.

Hon. Mr. LOUGHEED—I understand the Minister of Public Works proposes to ask for a committee to assist him in the carrying out of the work, such committee to be composed of six members of Parliament, not necessarily of the House of Commons, three from each side. I understand that the Prime Minister will suggest three and that the Right Hon. Sir Wilfrid Laurier, leader of the Opposition, will suggest three. That will afford the opportunity to members of the House during the carrying on of the operations to make such suggestions as to conveniences, etc., that may be thought desirable. The plans, as they have been exhibited up to the present time, are not necessarily of an arbitrary character. The constructive features, of course, have been determined upon, but the laying out of the interior, so far as rooms and all that kind of thing are concerned, can be adjusted as the work proceeds. Representations made to the committee of Parliament that will assist the Minister of Public Works in carrying out building operations will, of course, receive every consideration.

BILINGUAL CASE IN SUPREME COURT.

INQUIRY.

Hon. Mr. CHOQUETTE—Before the Orders of the Day are called, I wish to direct the attention of the Government to a matter which I consider very important. I read in the Mail and Empire, of yesterday, the following:

> Bilingual Case in Supreme Court.
> Legality of Legislation Unseating Trustees is Challenged.
>
> In the appeal by the trustees of the Ottawa Separate School Board against a decision by Chief Justice R. M. Meredith which upheld the legislation which appointed a Separate School Commission to control the separate schools of Ottawa, the judges of the First Appellate Divisional court at Osgoode Hall yesterday reserved judgment. A. C. McMaster, K.C., who represented the bilingualists, suggested that there was no law to put out of office trustees of Separate Schools who violated the regulations but they could be brought before the court and made to act in conformity with the law. The

question before the court resolved itesIf into whether under the British North America Act the Legislature could take away from the ratepayers the right to control the schools by their trustees, and this Mr. McMaster argued it could not do.

And it is to this point I wish to draw the attention of the Government and the Minister of Justice:

Mr. Justice Hodgins pointed out that the court must get its power from the Legislature, and Chief Justice William Meredith questioned whether it would be desirable to go ahead with the case until the Privy Council had disposed of a case pending.

I do not see why, in a case of this kind, demanding an early and final decision, they suspend a case dealing with the same matter in another court. But that is not the worst; this is the point:

Nevertheless, he remarked that if the court should declare the legislation which appointed the commission invalid it would be a bold act on the part of a Minister of Justice to disallow it.

If that is true the journalists ought to be called to order, for it is a kind of threat to the Minister of Justice, in fact, interfering with the demand which is made by the French minority members under the authority of an Act of Parliament. It is very bold, I may say, for the judge to utter a threat like that in a court of justice.

Hon. Mr. LOUGHEED—We cannot discuss that now.

Hon. Mr. CHOQUETTE—But this is a report in a Toronto paper, the Mail and Empire.

The Senate was adjourned during pleasure.

BILLS ASSENTED TO.

An Act to incorporate the Canadian Indemnity Company.

An Act respecting Queen's University at Kingston, and to amalgamate therewith the School of Mining and Agriculture.

An Act respecting the Burrard Inlet Tunnel and Bridge Company.

An Act respecting the Canadian Northern Ontario Railway Company.

An Act respecting the Farnham and Granby Railway Company of Canada.

An Act respecting the Peace River Tramway and Navigation Company.

An Act respecting the Canadian Pacific Railway Company.

An Act respecting the Pacific Northern and Omineca Railway Company.

An Act for the relief of Lena Pearl Potter.

An Act for the relief of Robert Napper.

An Act for the relief of Sherwood Norman Hill.

An Act for the relief of Ida May Woltz.

An Act for the relief of Cecily Ethel Maude Farera.

An Act for the relief of Lillian May Dent.

An Act for the relief of Harry Lorne White Cunningham.

An Act for the relief of Henry John Thomas Wardlaw.

An Act to incorporate Les Sœurs de l'Assomption de la Sainte-Vierge.

An Act respecting W. C. Edwards and Co., Limited.

An Act respecting a patent of James W. Owen.

An Act to amend the White Phosphorus Matches Act.

An Act to amend the Winding-up Act.

An Act to authorize the raising, by way of loan, of certain sums of money for the public service.

THIRD READINGS.

Bill No. 30, An Act to incorporate Seaport Trusts Corporation.—Hon. Mr. Bostock.

Bill No. 11, An Act respecting British American Nickel Corporation, Limited.—Hon Mr. McHugh.

Bill (Z), An Act for the relief of Charles William Wilson.—Hon. Mr. Talbot.

Bill (A-2), An Act for the relief of Aimée Rita Elliott.—Hon. Mr. Ratz.

SECOND READING.

Bill No. 23, An Act to incorporate The Ontario Niagara Connecting Bridge Company.—Hon. Mr. Boyer.

SECOND AND THIRD READINGS.

Bill No. 60, An Act to authorize the raising, by way of loan, of certain sums of money for the public service.—Hon. Mr. Lougheed.

WESTERN CANADA TELEPHONE COMPANY INCORPORATION BILL.

SECOND READING.

Hon. Mr. BOSTOCK moved the second reading of Bill No. 25, An Act to incorporate The Western Canada Telephone Company.

Hon. Sir MACKENZIE BOWELL—Is that a provincial company?

Hon. Mr. BOSTOCK—This is a provincial company, or rather it consists of two or three provincial companies, and they want to get a Dominion charter because they desire to do business in the state of Washington for the south and also to be allowed to connect up with the telegraph lines of Alberta. They thought it better to apply to this Parliament for a Dominion charter and combine all the powers that they had under the provincial laws, rather than do it the other way. I have a long

explanation here if any hon. gentleman would like to have it read.

Hon. Sir MACKENZIE BOWELL—No, that will do.

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

KETTLE VALLEY RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. BOSTOCK moved the second reading of Bill No. 28, An Act respecting The Kettle Valley Railway Company and Vancouver, Victoria and Eastern Railway and Navigation Company.

He said: This, as hon. gentlemen will know, is an old friend; we have had the Kettle Valley railway before this House a great many times. This particular Bill is for the purpose of making an agreement between the Kettle Valley Railway Company and the Vancouver, Victoria and Eastern Railway and Navigation Company, which is now owned by the Great Northern Railway Company, in order to enable them to carry their line from the Kootenay lake right through to Vancouver. As hon. gentlemen know, the line is now built so that the Canadian Pacific Railway is operating from Nelson right through Spence's Bridge over this Kettle Valley road, and they have now the portion built from Merritt down through what is called the Hope Mountain, and will cross the Fraser river near Ruby Creek and then join up to the main line of the Canadian Pacific railway again. There is a very large tunnel to be built through the Hope Mountain, and it is being excavated by the Vancouver, Victoria and Eastern Railway and Navigation Company, which is really the Great Northern Railway Company, and the Kettle Valley Railway Company are to have running rights over the Vancouver, Victoria and Eastern Railway and Navigation Company's line.

Motion was agreed to, and the Bill was read the second time.

BANK ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 33, An Act to amend the Bank Act.

(In the Committee.)

On clause 1:—

1. Subsection twelve of section eighty-eight of the Bank Act as enacted by section one of chapter one of the statutes of 1915 is repealed.

Hon. Mr. BOSTOCK—What is the effect of this clause?

Hon. Mr. LOUGHEED—My hon. friend will doubtless remember that last year, when seed grain was being distributed, power was given to the banks to loan money to assist settlers to obtain seed grain. The section which was passed last session was as follows:

The bank may lend money to the owner, tenant or occupier of land for the purchase of seed grain on the security of any crop to be grown from such seed grain.

Then subsection twelve, which is the clause we are now repealing, states that money to be loaned under the section just read must be loaned before the 1st day of August, 1915. It is now proposed, for the purpose of assisting agriculture, that the banks should continue to have the right which they had under the emergent conditions provided for by the legislation of last session.

Hon. Mr. BOSTOCK—So there will be no limit to the time for which they may loan?

Hon. Mr. LOUGHEED—No.

The clause was adopted.

On clause 2, subclause 17:—

2. Section 88 of the Bank Act is further amended by adding thereto the following subsections:

17. A memorandum of the security taken in the form "H" shall be published in the official Gazette of the province referred to in subsection sixteen next preceding, within thirty days after the execution thereof, and if such memorandum is not so published the security so taken shall, as against creditors of the grantor, and as against subsequent purchasers in good faith for valuable consideration, be null and void.

Hon. Mr. BOSTOCK—That publication is confined simply to the official gazette of the province?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—Is that sufficient notice to give?

Hon. Mr. LOUGHEED—I think that every province has those chattel mortgage laws. I do not know any part of Canada in which there is any probability of invoking this particular clause.

The clause was adopted.

On clause 2, subclause 19:

19. The bank shall by virtue of the security taken under subsection sixteen of this section have full power, right and authority, if the bills or notes therein mentioned or described or any of them are not paid according to their tenor, to enter upon the premises upon which

the live stock mentioned in the security are, to take possession of, seize and sell such live stock, or such part thereof as may be necessary to realize the amount due and payable, at public auction, not less than five days after notice of the time and place of such sale has appeared in a newspaper published in or nearest to the place where the sale is to be made.

Hon. Mr. POWER—It seems to me there should be personal service of a notice, and that the mere publication in the Gazette, which the farmer is most likely not to see, is hardly sufficient.

Hon. Mr. LOUGHEED—The question of service could scarcely arise, because it is an arrangement made between the borrower and the bank, that is to say, the borrower secures from the bank a certain amount of money and signs a contract and security agreement, in the event of there being no law of the province dealing with chattel mortgages and bills of sale.

Hon. Mr. BOSTOCK—My hon. friend from Ottawa (Hon. Mr. Belcourt), raised a question with regard to this subclause 19, as to the bank having power to seize and sell live stock at public auction five days after notice has appeared in the newspaper. That seems to be very short notice, and I think it is more stringent than the general clause of the Bank Act. Section 3, subsection (b) of section 89 of the Bank Act reads as follows:

No such products or stock, other than products of the forest, and no goods, wares and merchandise, and no grain shall be sold by the bank under this Act without the consent of the owner, until notice of the time and place of sale has been given by a registered letter mailed in the post office, post paid, to the last known address of the pledger thereof, at least ten days prior to the sale thereof:

That seems to give much more time and publicity to the matter than we are doing in this particular case. I do not see why we should deal so much more stringently with the farmer than with the owner of merchandise.

Hon. Mr. LOUGHEED—We are dealing with an entirely different class of property. The property dealt with under section 89 was goods, wares, merchandise produced by manufacturers, and so on, but in this Bill we are dealing with live stock, security for which has been given under a chattel mortgage. The bank, before proceeding, must necessarily make a seizure of the live stock. Presumably under those conditions the chattel mortgagor or the owner of the live stock would be fully aware of the fact that it had been seized. My hon. friend is sufficiently familiar with live stock to know that after a seizure is made, if it be held over for a longer period than five days—let us assume that to be the limit—it is an easy matter for live stock to eat their heads off. It is an expensive class of goods to seize, and more particularly to hold, and, as I pointed out yesterday, the general law is sufficient to force upon the banks the adoption of such precautionary measures in the way of publicity being given as to sale, that no sacrifice shall be made of the property. The bank would be clearly responsible in damages to the owner if insufficient notice were given, and I think this is a matter that should rectify itself. In addition to that, you have to assume that such an important institution as one of the chartered banks of Canada will not wilfully make a sacrifice of a seizure of live stock belonging to a mortgagor. They can not afford to do it, and, furthermore, they must necessarily have in view the realization of as much money as possible out of the sale. It seems to me that if you were to fix an arbitrary period for a seizure, the minimum time should not exceed five days. Otherwise one can readily understand, if you drive live stock into the city market, and have to put it in the stable and care for it, the time it is kept is chargeable to the mortgagor, and not to the mortagee, the bank. It is, therefore, one of those conditions that I think should work itself out to the mutual advantage of both.

Hon. Mr. CHOQUETTE—We must look to the interests of the poor man. If a farmer has no friend to redeem his stock, his interest is to have more publicity given, in order to have a better sale.

Hon. Mr. LOUGHEED—It costs money to keep the stock.

Hon. Mr. CHOQUETTE—Take a case where there is only one weekly newspaper in the place. If the public take cognizance of the sale they will attend and bid, and the stock might realize a good price. The interest of the bank is confined to realizing the amount of their claim. If the stock is worth $1,000 and the bank has a claim of $500 they will be satisfied with getting their $500, but if the sale is advertised, there will be bidders and a better price will be realized. I think the minimum time should be ten days instead of five.

Hon. Mr. LOUGHEED—I am desirous of seeing that the right of the owner is properly respected, but let us consider an illustration. A band of horses is mortgaged to

a bank, and the bank seizes those horses. The bank has to drive them to a market. That market in all probability will be in a city or town. To stable those horses during that length of time, if you make it a period of ten days, must necessarily cost a very substantial sum of money. We all know that there is invariably a sale for live stock immediately it is put on the market. That is something that does not fluctuate to any great extent. It has almost a fixed value. Take property tributary to Toronto or Ottawa, or tributary to any centre, the stock could be driven into one of those centres, and the amount realized almost without delay. Then why should we fix a minimum period of ten days and incur the cost of a stable bill, which would be piled up during that minimum period? You might as well leave some discretion to those who have to carry out the law, and it seems to me that five days is sufficent.

Hon. Mr. WATSON—I fully appreciate the argument of the minister about expenses. But we know that sales of this kind will take place in districts where there is no daily paper,—simply a weekly paper—and the public would have no notice of the sale. How would it answer to put up a notice in the post office in addition to publishing a notice in the newspaper. In that way people would have notice of the sale taking place. We can quite appreciate that stock might be seized and driven to some district and advertised in a weekly paper, which nobody would see, and the stock would be sacrificed. That is what my hon. friend objects to.

Hon. Mr. LOUGHEED—Do you mean an alternative?

Hon. Mr. WATSON—No, I mean to advertise in the paper and also put up a notice in the post office. I think the notice in the post office would be more useful than the newspaper.

Hon. Mr. CHOQUETTE— Why not say that the sale should take place according to the laws of the province, and the debtor would have fifteen days.

Hon. Mr. LOUGHEED—I move that the committee rise and report progress.

Hon. Mr. DANDURAND—Could my hon. friend tell me by what process the bank enters the premises and seizes?

Hon. Mr. LOUGHEED—Under the mortgage.

Hon. Mr. DANDURAND—Through a court officer or its own agent?

Hon. Mr. LOUGHEED—Whatever the rights given to the bank under the mortgage may be.

Hon. Mr. DANDURAND—I know what the law is in my own province, but as we have no chattel mortgages in Quebec I should like to know how you would proceed.

Hon. Mr. LOUGHEED—In Ontario and the western provinces they enter into possession in pursuance of the right given them under the mortgage. When default arises they may enter upon the premises and take possession of the property.

Hon. Mr. DANDURAND—Without a court authorization?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CHOQUETTE—I desire to move an amendment to add after clause 114 a provision in regard to the unclaimed deposits being returned to the Government after being advertised for sixty days in the Gazette. I move that after section 114 the following section be added:

After 60 days notice in the Canada Gazette and in the official Gazette of each province of Canada, the Minister of Finance, is so authorized by order made by the Governor in Council, may claim from all the banks of Canada the balances unclaimed for more than five years, and the amounts of all certified cheques, drafts or bills of exchange issued by the banks to any person and remaining unpaid for more than five years, as the same appear by the last annual report made by each bank according to law; and the receipt of the Minister of Finance shall be a complete discharge to any bank for such of the said unclaimed balances and amounts as are paid to the Minister of Finance by that bank.

We had a Bill to the same effect before us a few days ago, which was declared to be a money Bill. The Speaker ruled in favour of the point of order, and I bowed to the decision and dropped the Bill. We are in a different position now; it is the same as if there were no Bill at all. Now it is an amendment to the Bank Act. The Bank Act is a money Bill. The Government must have proceeded according to rule. I do not know exactly how, but I think any member of this House has a right to move an amendment to the Bank Act which does not dispose of the money or place any burden on the Government. Therefore I would add this clause to 114, which states what is to be done by the bank as to the information to be given to the public about unclaimed balances The

bank, after five years, make a report to the Government, but the banks are keeping this money. We know by the report that there is a million dollars of money lying there unclaimed for five years at least, because they are obliged to make the report only after five years. Now the bank naturally will pay the interest on the amount claimed as deposits, but they do not pay any interest on certified cheques or drafts, which, according to last reports, amounted to over $200,000. There was a case where a man has had $500 lying in the bank since 1908. He said the money was there, but he could not get it. Why? Because, in 1908, he was keeping a store and he owed the amount to a merchant in Montreal. He got a cheque from Montreal for deposit in Quebec. After the cheque had been sent the house in Montreal was burned down. The merchant, who was well known, closed the business and went to England transferring the business to Greenshield. He asked for the money, but the bank would not pay without the cheque being presented, unless he would mortgage his property as security. That he would not do, because he could not sell his property. In that case the bank holds $500 on which it pays no interest and on which it receives 8 or 9 per cent. The cheque was accepted, and the money is there. The gentleman who owns this $500 said: "I prefer to give that money to the Patriotic Fund or a public institution." I said the Government should take that. They may adopt either of two courses: First, pay the money to the Patriotic Fund or use it for some public purpose; secondly, take the money themselves, assuming the same position towards the claimant as the banks hold. The Government may keep the money and say if it should be claimed they will pay it with interest at 3 per cent, as the banks would do, so that nobody would lose by it except the bank that has had the benefit of it, but the public who are over-charged—

Hon. Mr. DANIEL—I rise to a point of order. The motion before the House is that the committee rise, report progress and ask leave to sit again. The remarks of the hon. gentleman have no connection with that motion at all, and I ask the chairman to rule on the point of order.

Hon. Mr. CHOQUETTE—I gave notice of my amendment. I think I am in order to put the motion before the Chair, and the whole thing will go with the report of the committee and be under discussion. I put my motion now before the Chair.

Hon. Mr. LOUGHEED—I take the same exception to that as to a money Bill; the hon. gentleman is clearly out of order.

Hon. Mr. DANDURAND—The hon. gentleman cannot add a money clause to amendments to the Bank Act which are not in the nature of money amendments or a money clause. We may amend the Bank Act, but we cannot add a clause which will allow the Government to take money from the people. That is purely a money clause, and would turn the amendment into a money Bill.

Hon. Mr. LOUGHEED—Let it stand until to-morrow.

Hon. Mr. CHOQUETTE—On the point of order I refer to May at page 574 where I find the following:

> That in all aid given to the King by the Commons the rate or tax ought not to be altered by the law.

This does not touch the rate or tax. The Government are entitled to take the money and do what they like with it.

Hon. Mr. DANDURAND—If the question is to be discussed and left in the hands of the chairman I should like to add a word, and it is that this clause would have the effect of vesting in the hands of the Government moneys that belong to the people of Canada. It would be taking from a class of people money belonging to the depositors.

Hon. Mr. LOUGHEED—It would be imposing the worst kind of tax.

Hon. Mr. DANDURAND—It is confiscation. It is a levying of sums of money belonging to a certain class of people which would go into the consolidated fund.

The CHAIRMAN—My opinion is that this subject, having been once dealt with by this House on the principle that it is in the nature of a money Bill introduced in the Senate and, therefore, decided to be out of order, it could not be raised again during the session. It will have to be brought up some other way. Rule 73 reads:

> The rules of the Senate are observed in a Committee of the Whole, except the rules limiting the number of times speaking.

And rule 69 says:

No new Bill for the same object can afterwards be originated in the Senate during the same session.

I take it this would apply to a Bill ruled out of order. The Bill was introduced and ruled out of order. Therefore I think the hon. member was out of order with his motion.

Hon. Mr. SPROULE, from the committee, reported that they had made some progress with the Bill and asked leave to sit again to-morrow.

BILL INTRODUCED.

Bill (45) An Act to amend the Act to incorporate the Canadian Red Cross Society.—Hon. Mr. Lougheed.

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

THE SENATE.

Friday, March 24, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

TRIPS OF STEAMERS UNDER GOVERNMENT CONTROL.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

How many trips were made by the steamer Champlain, or any other steamer under Government control, between Rivière Ouelle wharf and St. Irenée or Murray Bay from the 1st December up to the present date?

Hon. Mr. LOUGHEED—The steamer Champlain made fifty-two round trips between Rivière Ouelle wharf and St. Irenée wharf or Murray Bay from the 1st December, 1915, to date.

SHIPBUILDING IN BRITISH COLUMBIA.

MOTION.

Hon. Mr. BOSTOCK moved:

That an order of the Senate do issue:

For a copy of all letters, telegrams, petitions, memorials and other documents relating to the subsidizing by the Government of the construction of ships in British Columbia, or of ships when built; or as to the laying down or constructing or assisting in the construction in British Columbia of twenty-five ships by the Government, or as to assisting by subsidies or otherwise in the construction of ships in the Dominion.

He said: Some question was raised on one occasion about the propriety of discussing British Columbia matters in this House. I do not know whether hon. gentlemen are aware of the fact, but I am in rather a peculiar position, in so far as I am the only member from British Columbia who is a Liberal in politics, and I am the only senator from British Columbia in this House to-day. My hon. friend the leader of the Government probably knows that there are two vacancies in the representation of British Columbia in the Senate and so far no recommendation has, as I understand, been made to fill these positions. Therefore I must give that as my excuse for troubling the House on a matter that, possibly, concerns British Columbia more than any other part of the country. This question of the shipbuilding industry of Canada is a very important one to-day. All the last year, I may say, the Pacific coast has suffered a great deal for want of facilities for exporting the products of British Columbia. Had we been able last fall to find shipping, we could have sent a large quantity of potatoes to New Zealand and Australia, where there was a considerable demand for them. In British Columbia we had a very large crop of potatoes, and would have been glad to have availed ourselves of that market, but unfortunately could not do so owing to the situation in regard to transportation. The same thing has applied to other lines, especially the lumbering industry. The last six or eight months the lumbermen on the Pacific coast have had large orders, which they were unable to fill because they could not get shipping facilities for shipping their lumber out of the country. Profiting by their experience some of the lumbering companies are to-day building wooden ships for the purpose of transporting their lumber. They argue that it will pay them to put the lumber into ships, and sell the ships at the end of the voyage. The ships are not intended for a general shipping business, but simply to enable the lumbermen to fill orders they have on hand.

Hon. Mr. DANIEL—Are they wooden sailing ships?

Hon. Mr. BOSTOCK—Yes. I find the same condition of things very largely prevails on the Atlantic coast. Owing to the Imperial Government having commandeered a great many ships for war purposes the

coal industry in Nova Scotia and New Brunswick has suffered severely. Other industries dependent on these provinces for their supply of soft coal have also found their business very much hurt by the fact that there is practically a coal famine in Nova Scotia. This is a very serious matter, and one that I think should be brought very earnestly to the attention of the Government. As chairman of the Economic Commission to which he was appointed, I think my hon. friend has the shipbuilding industry specially under his care. It is one of the matters which I think that commission is, by the Order in Council appointing it, called upon to inquire into, the shipbuilding industry being a very important industry to the whole of Canada. The By Water magazine refers to the building of ships on the Great Lakes, and gives great credit to a company called the Northern Navigation Company for having, within a short time, built and placed vessels on the lakes. One of them, called the Huronic, is stated to have cost some half million dollars. It is a steel ship, and, according to this magazine, is one of the finest vessels on the upper lakes to-day. It also refers to another ship built by this same company, called the Normic, which is stated to have cost over a million dollars. I quote these two incidents to show that this company has the public interest at heart, and has proved its faith in the matter by building steel ships in Canada and putting them on the lakes, thus filling a want that is very seriously felt at the present time. I see no reason why such ships could not be built both on the Atlantic and the Pacific coasts, but I have no doubt that to establish such an industry will require a great deal of looking into and encouragement in some shape or form from the Government. The Government of British Columbia made the announcement that they proposed to go so far as to subsidize the shipbuilding industry in that province. The statement was made that a company in Montreal was prepared to come forward and make an arrangement with the British Columbia Government for building ships. Owing to certain matters that have occurred in British Columbia within the last few weeks, I noticed in a paper the other day that the Premier considered the feeling of the people had changed to such an extent that any promises he had made as to what he would do to encourage the shipbuilding industry, and also the mining industry, were no longer to be adhered to—that the people having lost confidence in his Government, it was not necessary for him to carry out his promises. Now I do not want to take up the time of the Senate very long on this question, but I do want to urge on my hon. friend the leader of the Government that this is a very important matter, not only on the east coast of this Dominion but also on the west, if not in the middle part of the country as well; and I think the country should have some expression of opinion from the Government as to whether they are prepared to make some proposal to encourage the shipbuilding industry.

The motion was agreed to.

THIRD READINGS.

Bill No. 22, An Act to incorporate Edmonton and Southwestern Railway Company. —Hon. Mr. Talbot.

Bill No. 36, An Act respecting the Joliette and Lake Manuan Colonization Railway Company.—Hon. Mr. Belcourt.

SECOND READING.

Bill No. 46, An Act respecting the Algoma Central and Hudson Bay Railway Company. —Hon. Mr. Dandurand.

CANADA GRAIN ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 58, An Act to amend the Canada Grain Act. He said: The object of this Bill is to authorize the Grain Commission to exercise its discretion and also its power in ordering a further distribution of cars—I am now reading the proposed amendment—

(e) Whenever after due examination the board considers it necessary and advisable in order to facilitate the despatch of grain which is insufficiently housed and liable to become damp or injured.

Under the Act as it stands at present the board in its discretion may order cars to be supplied:

(a) To elevators that are in danger of collapse.
(b) To places where grain is damp and thereby liable to become damper.
(c) For the purpose of distributing seed grain to any point in the western division.
(d) In case where the operator of any country elevator reports in writing, under oath, that some portion of the grain in such elevator is heated, and that in order to preserve such grain it is necessary to

ship such heated grain to a terminal elevator for treatment, provided, however, that no relief shall be granted in such last-mentioned case as long as a warehouseman has sufficient room in his building for the rehandling of such grain.

Owing to the large harvest with which we were so bountifully blessed during the last year, the agricultural community in the West has found itself confronted with this peculiar condition of a lack of elevator capacity to store, and of rolling stock to remove the grain. The consequence is that on many of the newer branches of railways, constructed during recent years, very large quantities of grain are lying unprotected out of doors. The Minister of Agriculture of the province of Saskatchewan directed the attention of the board to the difficulties under which the farmers of those districts are labouring. He instanced one case in which a farmer had no less than 31,000 bushels of grain which he hauled to the railway and had to dump alongside the track, leaving it without any protection whatever, and there it is to-day with the heavens above as a roof and the earth beneath as a floor, the spring coming on with its thaws and all its consequential injurious conditions necessarily incidental to the rapid approach of spring. That is an illustration. It may be a rather extreme one of the difficulty in question.

Hon. Mr. DOUGLAS—I should like to know the name of the farmer.

Hon. Mr. LOUGHEED—I have not the name. I showed to some hon. gentlemen here the correspondence with Hon. Mr. Motherwell in which the representation is made. I presume the Minister of Agriculture in the Saskatchewan Government would scarcely make a statement of that kind if he were not familiar with the facts. I might say to my hon. friend that I myself have seen very large stacks of grain stored along the main line of the Canadian Pacific railway without any protection and with limited facilities for removing same.

Hon. Mr. DOUGLAS—Quite so; I only ask the question whether or not such a handling of grain was a matter of great loss to the country or even to the individual.

Hon. Mr. LOUGHEED—I should say so.

Hon. Mr. DOUGLAS—I have a different opinion altogether.

Hon. Mr. LOUGHEED—That may be; I cannot help my hon. friend's opinion. He alone is responsible for that but I should say that if any man——

Hon. Mr. DOUGLAS—I think that many of those cases——

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—Let us have free discussion; we want light.

The SPEAKER—Order.

Hon. Mr. LOUGHEED—I was pointing out that provision is made for the board to order the distribution of cars under the specified conditions which I have mentioned. This amendment is very much along the same line and therefore it is thought desirable to grant these powers. I might say that this additional power to the Grain Board is very strongly supported in the House of Commons by the western members. That is the object of the Bill.

Hon. Mr. DAVIS—While this legislation may meet with the approval of the Minister of Agriculture for Saskatchewan, it does not necessarily follow that it is right. The farmers in the West, as my hon. friend well knows, have taken very strong objection to any interference with the distribution of cars, as it is the only safeguard the farmers of the West have. Once you place the power in the hands of either the Grain Board or the elevator men—I don't care who may use that power—the farmers will suffer. There are a hundred and one ways up there of mulcting the farmer. The elevator man may tell him that there is no room for the class of grain that he brings, which may be No. 1 hard, but that if he wants to take No. 2 value for it there is a bin with No. 2 in it, and they will throw it in there, and he has to take the price of No. 2 for his No. 1 wheat. That is an illustration of the way they hold up the farmer, and the only safeguard the farmer has is in the distribution of cars. The moment you open the door the farmer suffers, and there has been a tendency for the last four or five years to do that. This amendment is an old friend with a new face, and in one form or another they are trying to get this concession to control the distribution of cars so that the elevator people can get them and the farmers cannot. I don't care what the Minister of Agriculture of Saskatchewan says about this matter, it is not likely that a farmer along a new line of railway, who has 26,000 bushels of grain,

would be likely to haul that eight or ten miles and dump it beside the railway track. What would he do it for if he did not think he could get it out? It is only encouraging that class of farmers not to build granaries on their farms. If a man is growing grain in that way it is up to him to build granaries. Other people have granaries and warehouses; should they suffer because a few people on a new branch line railway do not see fit to build anything to protect their grain? I submit that the price of grain last year, 80 or 90 cents a bushel, would enable a man with 26,000 bushels to buy a few loads of cheap lumber to make some kind of temporary protection for his grain. That is a very poor argument, and I should like to see the man who hauled 26,000 bushels of grain and dumped it alongside the railway track without any protection.

Hon. Mr. LOUGHEED—It was 31,000 bushels.

Hon. Mr. DAVIS—As the Bill has received the approval of the western members, I shall not oppose it, but I repeat that it is merely the thin end of the wedge. I have not the least doubt that extra powers will be asked for by the Grain Commission next year.

Hon. Mr. DOUGLAS—Yes.

Hon. Mr. DAVIS—Every year they are trying to enlarge their powers. We gave them some before. In cases where there was a collapse of an elevator or something of that kind they had discretion to run cars out. This year they are down for more, and I venture to say that next year they will be down again. The farmers want no more interference. They have the right to load their cars; they have the elevator there, and the elevator man will mulct them if he can, as he has in the past, and they do not want to give away one iota of what they got by hard fighting. The farmers are satisfied with the present conditions, and ought to be left alone. In my opinion the Bill should not go through.

Hon. Mr. WATSON—This is a desperate remedy for just such a case as that mentioned, and it received the support of the members in the House of Commons from the West. The amendment introduced by the Minister of Trade and Commerce was not accepted. It is giving power to the board to direct cars to relieve any congestion of wheat. That was fought very bitterly by practically every member from the Northwest and the Minister of Trade and Commerce saw fit to amend it, and in its present form, it only applies to grain insufficiently housed. That is the grain described by the leader of the Government in this House. Such conditions are liable to occur in the Northwest most any year, probably not where grain is housed, but where cars would be asked for and not furnished. We passed a Bill a few days ago empowering the Railway Commission to direct a railway company to deliver freight to another company. I see they have made an order on the Goose Lake branch southwest of Battleford, for the Manitoba and Northwestern to furnish 1,200 cars for that particular route and also thirty locomotives for the motive power, and I see by the press reports that the company are taking up grain from the prairie and delivering at the storage elevator at Saskatoon, and it is being transferred to the Grand Trunk railway to be moved down to Fort William where they are taking care of it. They adopted that means to take care of the grain under those conditions. So far as the West is concerned, this is only a fair sample of what is going to crop up every year if that country progresses as we expect and hope it will. Canada is so situated, in the same latitude, that the harvest from the Atlantic to the Pacific all occurs within two or three weeks. There is one method to remedy all the difficulties that prevail in the Northwest in the future, and that is for the Government to get busy and give the Northwest farmers free wheat.

Hon. Mr. DAVIS—Hear, hear.

Hon. Mr. WATSON—So far as the present congestion is concerned it would not exist if we had free wheat with the United States, and the reason is obvious. If we had free wheat with the United States, the United States railways would take care of the surplus crop of the country, because even if there was no market for the wheat, there would be sufficient transportation. The harvest starts in the Southern States probably two months before the Dakota harvest. You never hear of a grain blockade in Dakota, immediately south of Manitoba, Saskatchewan, and Alberta. And why? Because the railways have sufficient rolling stock to take care of the trade. The harvest starts in the south, and as the harvest moves northward, so moves the motive power northward to take care of it. If you

had free wheat you would have no blockade. You would have no such thing as was necessary the other day—that extreme measure of forcing one railway to turn over its trade to another company, because it could not take care of it. The Canadian Northern had not only to furnish rolling stock for the transportation of the grain, but had also to haul water for the locomotives. There is a stretch of 100 miles where there is no water, and they are compelled to haul the wheat and the water. I have no hesitation in saying that if the Government would grant free wheat with the United States, all difficulties would be removed. They say that the United States can grow more wheat than we can. Well, perhaps they can. Manitoba and the Northwest can grow wheat cheaper than they can in the United States, they will do so; if not, they can go into something else, growing corn or producing beef. I take this opportunity of impressing on the Government and on the commission of which my hon. friend is head at the present time, to suggest methods to the Gevernment whereby the country will grow and people will get a return for their money. These difficulties are bound to crop up under the present system, and cause trouble.

Hon. Mr. DOUGLAS—If there is any one on the floor of this House that has had more to do with the question under discussion, than another, it is the gentleman who claims an hour or so at your hands. For some six years our greatest fight was with the trade in Winnipeg, and other points. The older members of this House will remember the protracted discussions and the struggles we had to retain possession of our rights. Commissions were appointed; judges took the matter carefully in hand and reported to this House, and it was shown clearly that the people then in the country were living under conditions where they were not likely to make a success of grain growing. One of the great difficulties was the distribution of grain, and I claim the right to say something on this subject. The people were subjected to barefaced robbery year after year, until we secured something like an honourable handling of grain. Then, after our farmers had got fair treatment in the handling of grain, they began to realize that they were in a country where grain could be grown at a profit. I had the honour of introducing the method of handling the grain on the sample platform, and it was soon found that it was a grand addition to our wealth, to be able to buy grain and sell it, and make at the same time about ten cents a bushel to put into the pockets of our families and friends, without being robbed right and left. Hon. gentlemen will remember also that the great opponents we had were the railway companies. They had the business in their own hands, and could do what they pleased with the people. They could give orders as they pleased, and we felt assured that unless the Government came to our help there was nothing for us but to live under the tyranny of the railway companies and of the men who handled the grain in the city of Winnipeg and other points. One of the chief things then secured has been maintained and will be maintained, because this Bill will not affect it very much. The people of the Northwest have found what their rights mean and what their rights ought to be in the purchase and sale of grain. We can meet our wants if you give us the opportunity, but we shall maintain our privileges and the liberties we possessed in years gone by. I have to-day over 8,000 bushels of grain that is not sold Why is it not sold? Because it is protected It is grouped, it is cared for, and we make money out of it. And we have no apprehension whatever about any loss occurring. Give the farmers an opportunity to exercise their powers and the wealth that they possess at the present time, and there need be no great outcry about the exposure of wheat to the elements. If a man does a thing like that he is a fool.

There is no need for loss of grain in any province of the Northwest to-day. We can store it and offer it for sale just as we find it convenient. Very well, there need be no outcry. The outcry is from such places as Winnipeg where they handle the grain to the special advantage of those who make money, and do it in a fraudulent way very often. Their ways have been exposed time and again. I do not wish to repeat history, but the farmers have found that they can handle their own business without so much pity, and tender sympathy from the Government. When help is needed, then help is tenderly proffered to them. We do not need to treat the people of the Northwest as a set of babies. They are business men. They are educated. Where did they get their education? They got it in the old provinces of our country. They can handle their own business just as well as you or I or anybody

else, and manage their own affairs, and the railway companies have found that out to their satisfaction. They are just as anxious to meet these people half way and do a fair business as to turn them down, as they used to do in years gone by. I venture to say—and hon. gentlemen will not forget this one point—if you remove this obstruction and restore the tyranny they were subjected to in past years, you may succeed, but you will never make an honest, straightforward people, with justice and integrity in their hearts. The people want liberties. We have given them liberties, and now people in the background try to take them away. I have not a word to say against the method that is being suggested by the last speaker. We need markets; we do not care where they may be. We want fidelity to the British Crown, and we have it. With the blood of our best men we have proved it. We have all the legislation to handle our grain that is needed. Let nature speak, and she will indicate whence it ought to come. I do not say that it is the best thing for us to try and build up markets outside of our own country and our own trade. Let trade find its own channel, and it will soon build up liberties and prosperity. But we have a country and we have trade to develop. We have not touched one-tenth of the country's width and capabilities. I have been forty years in the Northwest. I have made money in that country; I have no fault to find with it, and am quite willing to end my days there. The further west you go the more hopeful the people appear to be. There is no need for cutting down anything in the way of privilege or liberties our people possess, but I am quite sure from past experience that whoever interferes with the principle of justice that underlies the administration as to the right of cars in the carryng of grain out of the country will find that he runs against a power that may break his own neck within six months. It will work its own cure. It does not require any member of the Government, it does not require any member of this House to tell the people of that western country what is their duty under present emergancies. We do not want any individual member in the far Northwest to come out and tell us what the people want. They know what they want, and they will be here to ask it, and that very shortly.

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

Hon. Mr. DOUGLAS.

CANADIAN RED CROSS SOCIETY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 48, An Act to amend the Act to incorporate the Canadian Red Cross Society. He said: This is a Bill to amend certain sections of the Canadian Red Cross Society Act. The provisions are of a domestic character. It provides for an addition to the membership of the council, and its purpose is to permit of a larger representation of the western provinces in the council of the society. I need not say anything to you about the Red Cross Society. We know it is one of the most patriotic and useful organizations that we have, rendering at the present time services of the highest and most loyal character.

Hon. Mr. BOSTOCK—I think my hon. friend might possibly make some explanation as to why he is in a hurry to push this Bill through. It was only introduced in the House yesterday, and I think he asked leave to put it down for second reading to-day, but in his explanation to the House he has not shown any necessity for rushing the Bill through. It seems to be a sort of private arrangement for working out the Act of 1909 and this Bill simply amends clause 6. I have looked at the Bill and do not see that there is very much in it requiring any great hurry.

Hon. Mr. LOUGHEED—The hurry about it was this: I was approached by the Law Clerk last night, just as the deputy governor was coming down, and asked if it would be possible to get the Royal Assent to this Bill. I said I thought that was a work of too quick despatch for the Senate to undertake. I however, can appreciate the anxiety of the promoters of the Bill to have this amendment made as speedily as possible. The machinery of the Red Cross Society, so far as the proper representation of the entire Dominion is concerned, is not satisfactory. There is no provision made apparently for securing representation, particularly of Western Canada, in the councils of the society, which is so desirable. I need not say to hon. gentlemen that the West is practically covered by branches of this organization doing marvellous work to meet the different requirements of our forces at the war, and it was therefore thought desirable that they should be placed in a position so as to meet public

sentiment, particularly in this section of Canada that has rendered such patriotic and loyal work.

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

Hon. Mr. LOUGHEED—I observe this Bill went to the Private Bills Committee in the Commons, and I suppose there is no reason why it should not go to the Private Bills Committee in this Chamber, provided that committee will meet at a comparatively early date, or it could go to a Committee of the Whole.

Hon. Mr. BOSTOCK—Does any hon. gentleman want to have that done?

Hon. Mr. POWER—It is a private Bill.

Hon. Mr. LOUGHEED—It was made a Government Bill in the Commons. Sir John Gibson, who is head of the Canadian Red Cross Society, appealed to the Government to assist in the passage of this Bill in the speediest way possible, and it was introduced apparently by the Prime Minister in the Commons. Possibly it would be to our advantage to let it go to a Committee of the Whole.

Hon. Mr. POWER—Better send it to the Private Bills Committee.

Hon. Mr. LOUGHEED—They may not meet for sometime. I move that it be committed to a Committee of the Whole House on Tuesday.

The motion was agreed to.

INSURANCE COMPANIES EXTENSION BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 34, An Act to authorize certain extensions of time to insurance companies.

In the Committee.

Hon. Mr. LOUGHEED—I desire to make a slight amendment to clause 1 of the Bill. It was anticipated that the Bill would have been passed and assented to before the 12th of this month, but owing to our adjournment and other reasons it apparently did not go through. In the meantime, the charter of the Vancouver Life Assurance Company expired, and it will be now necessary to amend the Bill so as to cover this case, and any similar cases in which the charters may have expired before the Bill is assented to. It is therefore proposed to amend the Bill to cover any cases of that character. Therefore, I propose that in the beginning of the sixth line of clause 1, after the words, " has expired during the present session," we should add the words " or will expire."

Hon. Mr. BOSTOCK—Can my hon. friend give the House any idea how many companies come under this Act, and how much money the Government receives?

Hon. Mr. LOUGHEED—I cannot speak with certainty, but I understand there are over a dozen companies which have been incorporated. I think only one company has availed itself of the advantage of the last legislation we passed, and it is quite probable that not more than two or three companies may avail themselves of this legislation.

Hon. Mr. BOSTOCK—In that case their charters have expired.

Hon. Mr. LOUGHEED—Yes.

Hon. Sir MACKENZIE BOWELL—Half of them are bogus, anyway.

The clause was adopted.

Hon. Mr. THOMPSON, from the committee, reported the Bill with an amendment, which was concurred in.

BILLS INTRODUCED.

Bill No. 59, An Act to amend the Vancouver Harbour Commissioners' Act.—Hon. Mr. Lougheed.

Bill (D-2), An Act for the relief of Christopher Sinclair.—Hon. Mr. Derbyshire.

Bill (E-2), An Act respecting the Colonial Bank of Canada.—Hon. Mr. Casgrain.

Bill (F-2), An Act respecting British Trust Company.—Hon. Mr. Casgrain.

The Senate adjourned until Tuesday, 28th instant at eight o'clock.

THE SENATE.

Tuesday, March 28, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

GOVERNMENT IMMIGRATION OFFICE IN MONTREAL.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

1. What was the number of employees in the Government Immigration Office, 172 St. Antoine street, Montreal, on the 1st October, 1911?
2. The names and salaries of these employees?
3. What was the number of such employees on the 1st March instant, their names and salaries?
4. The names of the employees dismissed since the 1st December, and for what reason?
5. The names of the employees appointed since the 1st November last?
6. What is their salary, and on whose recommendation have they been appointed?

Hon. Mr. LOUGHEED—The answers are:

1. Eighteen.

2.

John Hoolahan	$1,200	per annum.
A. Regimbal.. ..'..	1,400	" "
A. Geoffrion	1,500	" "
C. Choquette	1,000	" "
Dr. A D. Stewart..	1,600	" "
Dr. G. Gurd	1,500	" "
Gaston Deville.. ..	1,000	" "
J. H. Ellice..	900	" "
Daniel Callaghan ..	800	" "
John Kuhlman.. ..	700	" "
Geo. C. Smith	45	per month.
Mrs. E. Blackmore..	45	" "
Mrs. H. McLaughlin	15	" "
M. Masse	15	" "
Sam Golt	5	" "
Z. Mathieu	1.75	per day.
Geo. Bergen	1.50	"
R. S. Kellie	1.50	"

3. Thirty, including three officers on active military service overseas:

John Hoolahan.. ..	$1,400.00	per annum.
A. Regimbal	1,800.00	" "
J. E. Sevigny	1,800.00	" "
Emile Belanger.. ..	1,500.00	" "
L. N. Beard	1,600.00	" "
J. J. Shea	1,600.00	" "
Gaston Deville	1,400.00	" "
E. Gordon..	900.00	" "
Fred Dalby	900.00	" "
D. Lalonde..	600.00	" "
John Kuhlman.. ..	800.00	" "
Daniel Callaghan ..	1,000.00	" "
Miss Agnes Brennan	780.00	" "
Mrs. A. Desnos....	720.00	" "
Dr. G.E. Beauchamp	1,500.00	" "
Dr. D. Gurd	1,500.00	" "
E. Tartak..	720.00	" "
J. P. Jackson.. ..	720.00	" "
Z. Mathieu	720.00	" "
Samuel Thompson..	600.00	" "
R. S. Kellie	638.75	per annum.
H. B. Costello ..	660.00	" "
G. Monette..	638.75	" "
Jos. Byrne	900.00	" "
H. Souaillard.. ..	480.00	" "
R. McKenzie	600.00	" "
Mrs. M.L. Larocque	456.25	" "
Mrs. Susan Gamble.	360.00	" "
Mrs. Mary Brizole..	360.00	" "
Wong Ham..	200.00	" "

4. On January 31, 1916, on grounds of economy, the department dispensed with the services of Dr. A. D. Stewart, C. Choquette, E. Shallow, Mrs. McLaughlin, Mrs. Blackmore and Miss J. Boyd.

5 and 6. On December 8, 1915, the agent engaged temporarily as cook, Robert McKenzie, to replace Robert McDonald who had resigned. The services of Robert McKenzie having been found satisfactory, he has been continued in the position at $50 per month.

On October 31, 1915, Guard Perry, whose salary was $55 per month, resigned, and on December 1, 1915, Samuel Thompson was engaged as guard-fireman at $50 per month. His recommendation was that he was a certificated fireman.

THE $75,000,000 LOAN.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

1. The names of the syndicate which took the $75,000,000 issue, what commission did they get?
2. Why was not the issue offered to public tender?

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

1. Messrs. J. P. Morgan and Company. Brown Brothers and Company, Harris, Forbes and Company, Bank of Montreal, First National Bank, National City Bank, Guaranty Trust Company. The total commission covering underwriting, banking and brokerage charges, and for distribution by selling agencies, legal and all other expenses will be slightly in excess of 2½ per cent.

2. Such a course is regarded as inexpedient and impracticable and has not been followed for many years by the Dominion in the flotation of its loans.

THIRD READING.

Bill No. 34, An Act to authorize certain extension of time to Insurance Companies. —Hon. Mr. Lougheed.

SECOND READING.

Bill (C-2), An Act to incorporate the Manitoba and Ontario Railway Company. —Hon. Mr. Talbot.

CANADIAN RED CROSS SOCIETY BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 48, An Act to amend the Act to incorporate the Canadian Red Cross Society.

(In the Committee.)

Hon. Mr. LOUGHEED—The object of the Bill is to give a larger representation on the council of the society than the present Act provides for, owing to the fact that so many branches have been opened, particularly in the West, and it is desirable that all those western branches should have some representation upon the governing body of the Society.

Hon. Mr. BOSTOCK—It means representation from these branches, not the central representation. The increase in the representation would be from the West.

Hon. Mr. LOUGHEED—It does not necessarily specify from the West, but that is the object of it, so that there can be an increased representation on the Council.

Hon. Mr. CLORAN—Is this a Government Bill?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CASGRAIN—A public Bill?

Hon. Mr. CLORAN—Well, all these Bills are public Bills. What I want to know, for my own information, and for the information of this honourable House, is why this Bill is considered semi-governmental. It is taken charge of by the leader of the House here and considered in Committee of the Whole instead of being referred to the Miscellaneous Private Bills Committee.

Hon. Mr. LOUGHEED—It is too late to discuss that point now. It has already been discussed and the Bill referred to the Committee of the Whole. If my hon. friend had been present the other day when the discussion took place he would not raise the question now.

Hon. Mr. CLORAN—It is not a Government Bill.

Hon. Mr. LOUGHEED—No, the Red Cross Society is a patriotic organization—

Hon. Mr. CLORAN—The same as all these.

Hon. Mr. LOUGHEED— —with which the Government, and in fact the whole of the country, is in sympathy.

Hon. Mr. CLORAN—All I want is information.

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

BANK ACT AMENDMENT BILL.

REPORTED IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 33, An Act to amend the Bank Act.

(In the Committee.)

Hon. Mr. LOUGHEED—We some days ago went through this Bill in Committee of the Whole and some observations were made as to the limitation of time in subclause 19 of clause 2, line 32, reading as follows:

Not less than 5 days after notice of the time and place of such sale.

This Bill would not apply in any of the provinces where there is a chattel mortgage or a Bill of Sales Act. It would apply only in the province of Quebec. The province of Quebec, I understand, has no Provincial Act analogous to those Acts which the other provinces have touching bills of sale and chattel mortgages, and hon. gentlemen will see that this will apply to the form of security in schedules (H) and (I), for the reasons which I advanced when the matter was under discussion before. It would be undesirable that we should extend it to a longer time. Of course a longer time can be given, but conditions might arise where stock is seized and five days would be ample, whereas if the bank is compelled to hold the stock for a longer period than five days, the stable bill might be so exorbitant as to practically exhaust the value of the property seized. Furthermore, I might say the object of this legislation is for the purpose of assisting live stock interests in the West. It will be invoked to a very small extent in the province of Quebec. The pressure which has been brought to bear upon the Government to amend the Bank Act in this way has come entirely from the West, and the object of the legislation is to assist farmers who are carrying on a live stock business on a fairly large scale in those western provinces.

Hon. Mr. CHOQUETTE—It is quite true that we have no law in Quebec for chattel mortgages, but we have a law with regard to the time within which movables can be sold, and we have to conform to that law. A man cannot sell movables unless he gives the notice required by law. I am not quite sure of the exact time, but I think it is eight or ten days. Why not say that in the province of Quebec the common law procedure shall apply to these cases? That will be satisfactory to everybody.

Hon. Mr. LOUGHEED—We do not want to draw distinctions for the different provinces. This is simply a minimum time.

Hon. Mr. POWER—There is no doubt a great deal of force in what is said by the hon. the leader of the Government, but in 1913, when the Bank Act was going through, he does not seem to appear to have entertained the same views as he does now. I refer to section 89 of the Bank Act of 1913, chapter 9 of that year. After giving the bank the right to make advances on various things, including grain, and giving the power of selling goods on non-payment of the debt, we find the following:

Provided that such power of sale shall be exercised subject to the following provisions, namely:—

(a) No sale, without the consent in writing of the owner of any products of the forest shall be made under this Act until notice of the time and place of such sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledger thereof, at least thirty days prior to the sale thereof;

(b) No such products or stock, other than products of the forest, and no goods, wares and merchandise, and no grain, shall be sold by the bank under this Act without the consent of the owner, until notice of the time and place of sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledger thereof, at least ten days prior to the sale thereof;

(c) Every sale, under such power of sale, without the consent of the owner, shall be made by public auction, after notice thereof by advertisement, in at least two newspapers published in or nearest to the place where the sale is to be made, stating the time and place thereof; and, if the sale is in the province of Quebec, then at least one of such newspapers shall be a newspaper published in the English language, and one other such newspaper shall be a newspaper published in the French language.

I direct the attention of hon. gentlemen particularly to this section 3. I do not see why so much care should be taken of grain and lumber and things of that sort and so little of cattle.

Hon. Mr. LOUGHEED—The reason is quite manifest. If you held live stock during that period of time, the expenses would be very large.

Hon. Mr. POWER—The hon. gentleman said this would apply chiefly in the province of Quebec, as I understand it. It seems to me that if the notice is put in an English newspaper and the debtor happens to be a French-Canadian, he is not likely to see the notice.

Hon. Mr. BOLDUC—Does the clause not state that it is to be published in two newspapers, one French and one English?

Hon. Mr. POWER—Oh, no.

Hon. Mr. WATSON—Not in the Bill before us.

Hon. Mr. POWER—There is nothing of the kind in the Bill, but in the Bank Act there is a provision of that sort. It seems to me the same provision should apply to this case. The hon. leader of the Government says that the cattle might suffer. Well, they might, but I think the bank should be compelled to feed them. The hon. gentleman from Portage la Prairie suggested the other day, and I thought it was a very judicious suggestion—and I may say that a great many of his suggestions are judicious—that this notice, in addition to being published in the newspaper for five days, should be posted up for the same length of time in the local post office where the party lives.

Hon. Mr. LOUGHEED—I shall be very glad to make that suggestion to the department.

Hon. Mr. CLORAN—Apart from the announcement in the public press, why not send a registered letter to the interested parties? That is already in our statutes. It is only fair to the man whose stock has been seized that he should know that he is going to be sold out, and the proper way is to send him notice by registered letter as provided for in the Act of two years ago.

Hon. Mr. SPROULE, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again.

BILLS INTRODUCED.

Bill (G-2), An Act for the relief of Hope Fothergill Baily.—Hon. Mr. Derbyshire.

Bill No. 29, An Act respecting the Pedlar People Ltd.—Hon. Mr. Taylor.

Bill No. 32, An Act respecting the Toronto Hamilton and Buffalo Railway Company.—Hon. Mr. Taylor.

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

THE SENATE.

Wednesday, March 29, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

DESIGN OF THREE CENT POSTAGE STAMP.

INQUIRY.

Hon. Mr. POWER rose to

Call attention to the puzzling and m'sleading design of the three-cent postage stamp recently issued, and ask if it is the intention of the Government to so alter the same as to make it easily understood and recognized.

He said: The matter to which I call attention is, perhaps, not on the surface a very important one, but it is really one of some practical consequence. Hon. gentlemen will remember that when the letter rate of postage was raised in the session of 1914 from 2 cents to 3 cents, a somewhat unusual and unexpected course was adopted by the Government. One would have thought it natural, if the rate of postage was to be three cents in future, instead of two cents, that the Government would issue a three cent postage stamp, to take the place of the old two cent stamp. Instead of that the Government, although their attention was called to the inconvenience that would arise from having two different stamps on a letter, decided that the old two cent stamp should be continued, and that an additional one cent stamp should be used. As I say, their attention was called to the inconvenience that this would entail upon correspondents, but the Government, showing a sort of combination of incapacity and want of frankness, which has characterized their action in a good many things, did not seem to see the objection to having the two stamps put on each letter, and took the ground that the revenue from the one cent stamp was really a war tax, and consequently was not to be put into the same treasury with the revenue from the two cent stamp, which was a postage stamp. I think that theory has melted away and disappeared in the clouds long since, and that at the time when the change was made, the Post Office Department which, under the predecessors of the present Government, had been bringing in a handsome revenue, was beginning to bring in a handsome deficit; so that really the one cent war tax had to go to meet the deficit in the Post Office Department. Within the past two weeks the Government, I presume paying attention to the protests that must have come from people all over the country against this compulsory putting of two stamps on an envelope, have decided that in future one stamp will be sufficient, and that one stamp is to be a three cent stamp. There is no doubt that is a step in the right direction. It is less trouble to put on one stamp than two, and then you are not likely to mix up your stamps, but the thing to which I call attention is the form of the new stamp, if you can call it a new stamp. Postage stamps, as every hon. gentleman is perfectly aware, are used by all classes of people, the educated and uneducated, the poor and the rich, and people with defective eyesight, and therefore, I think every hon. gentleman will agree with me that the postage stamp should tell its story clearly and distinctly on its face, and leave no room for mistake. Now I think that is a fair description of what a postage stamp should be. What it the postage stamp we are using at the present time? It is the old two cent stamp, with the figure 2 in each of the lower corners; it is the same colour as the old two cent stamp; the King's head is the same King's head; it is in every way identical with the old two cent stamp, except there is imposed or surcharged below the Kings' head a large T and two other letters which I think would require a microscope to make out correctly. The results is that already numbers of people have made mistakes. They have put this three cent stamp on cheques; they have put on the three cent stamp and one cent stamp in addition on letters because the average man, looking at the present three cent stamp would not distinguish it from the two cent stamp; consequently this three cent stamp is not the kind of stamp which should be used for general postal purposes. While I think that the Government are to blame in this matter, I do not wish to attribute any special blame to the Postmaster General. The hon. gentleman who now fills that position is, so far as I know, a man of common sense and of much more than ordinary ability,

and I do not think, if he were acting on his own motion, that he would introduce such a stamp as we now have; and looking at the fact that a similar mistake was made when the three cent postage rate was introduced, my own feeling is that there must be some freak official in the Post Office Department by whom the Postmaster General is misguided. I trust that the Government will be able in a short time to furnish the public with a three cent stamp of which it may be literally said that "he that runs may read." The present on is not that kind.

Hon. Mr. SPROULE—It seems to me that the last innovation is in the wrong direction. It is not an improvement, but rather a reverse step, when you remember that so many two cent stamps are required—a one cent stamp for a paper, a two cent stamp for receipts, cheques and many other papers, and you require a three cent stamp for letters. If you make a three cent stamp, and it should be generally carried by business men, then they are often likely to be short of the two cent stamp, and of the one cent stamp. The first arrangement, it seems to me, was very much better than the one which prevails at the present time, because when business men carried two cent stamps and one cent stamps, as they usually do, they could use a two and a one for a letter, and a two cent stamp for a receipt or a cheque. The two cent and the one cent stamps could be used for the three purposes, and it did away with the necessity of carrying another class of stamps.

Hon. Mr. LOUGHEED: I shall take the opportunity of conveying to the Postmaster General the views which have been expressed this afternoon with reference to this —what shall I say—important subject.

Hon. Mr. POWER—And that reference to himself.

Hon. Mr. LOUGHEED—It reveals the variety of human nature. I suppose the angles at which we view a subject are about as various as the mind can conceive. My hon. friend from Halifax is of opinion that the policy has been a very right one in making the three cent stamp, at least in combining the two and the one in one stamp. My hon. friend from Grey thinks that we should have continued the two stamps—a two cent stamp and a one cent stamp. I fancy that the officials who are charged with designing stamps have the same difficulty in viewing the situation as my hon. friends have in agreeing upon what should be done under the circumstances. I have no doubt that the designer of this stamp, in concluding upon the design of the present three cent stamp, considered that he had solved the problem very successfully; but apparently he has not. So far as my hon. friends question is concerned:

If it is the intention of the Government to so alter the same as to make it easily understood and recognized "—

I fancy that that will be too difficult a subject to undertake.

Hon. Mr. DANDURAND—For the first time I have examined the present three cent stamp, and I must confess it is a most extraordinary design. If the hon. leader of the Government will look at it, I think he himself will draw the attention of the Postmaster General to the advisability of issuing a decent three cent stamp.

Hon. Mr. CLORAN—Many people, and I am one of them, buy all one cent stamps, and then they are sure not to deceive or to be deceived. On a circular they put one cent, on a cheque two stamps; on a letter three stamps. With only one cent stamps there need be no mistake.

EXPENDITURES AT PORT NELSON.

MOTION.

Hon. Mr. CASGRAIN moved:

That an humble address be presented to His Royal Highness the Governor General, praying His Royal Highness to have laid on the table of the Senate a statement of all expenses to date in connection with the expenditures of public moneys at Port Nelson; also an estimate of the further expenditure to complete the works at Port Nelson on Hudson Bay.

He said: I must apologize to the House for bringing up again the question of Port Nelson. I have done so on many occasions. My first speech on the Hudson Bay route to Port Nelson and Fort Churchill was away back in 1907. At that time I had read all the documents and all the information available in this country on the subject. I then consulted the Surveyor General, Captain Deville, who, before he was employed by this Government as Surveyor General, had been for years a lieutenant in the French Navy, and naturally possessed a great knowledge of navigation. He told me that perhaps the only book that

could inform me on the subject further would be the Arctic Pilot, which I proceeded to get from the British Admiralty, but I am sorry to say that I did not find any more information in the Arctic Pilot than we already possessed. I may be perhaps forgiven if I repeat some of the things that I have been saying so often in the Senate on this question. Nine years have passed since I brought up the subject in this House, and when I look around this Chamber and see the great number of new senators who have come in since that time it shows the advisability of re-stating some of the facts. In all those nine long years I have followed up this question, have read everything that has been written on the subject, and have always taken a very deep interest in the navigation of our northern seas. I believed then, and I believe now, that the route from Hudson bay through the straits to the Atlantic, will never be commercially practicable. Therefore I think it is right to call for those documents, and to ask whether it is opportune at the present time, with a large deficit staring this country in the face, to go on with this extraordinary expenditure, which was estimated under a former Administration at a certain sum but which, according to the figures to be brought down, will be found to more than double the original estimate of the cost. There is the great expense of building 450 odd miles of railway from Le Pas to Port Nelson, through an uninhabited country, in which for the first 150 or 200 miles there may be here and there little spaces fit for agriculture, but which for the last 200 miles nearing the shores of Hudson bay, is absolutely useless, not even having any valuable timber. I want to say that I have no politics in this matter. I know full well that this work was begun by a former Administration; but, perhaps that Administration was not as well informed as it should have been when it undertook this project. But now that this work has been going on year after year, we are better informed as to the very great difficulty attending the carrying out of the enterprise. The railway, when completed, can only possibly do business for a few months in the year, because, as every one knows, Port Nelson and Hudson bay and the straits are absolutely closed to navigation for eight or nine months in the year, and during the remainder of the year navigation by this route is most dangerous. It seems to me, therefore, that it would be only right for the Government to stay its hand, for a few years at any rate, before spending more money on the project, and especially on the development of Port Nelson. I have here a map which, with the permission of the House, I shall lay on the Table and invite hon. gentlemen to look at it, since we are here to look after the public interest. I ask hon. gentlemen to look at this map, and say if they know of any harbours in this country or elsewhere which present such difficulties in providing terminal facilities. The map speaks for itself. On the main shore line the water is shallow, and when the tide recedes there is actually a mile and a quarter of absolutely dry land left at low tide. Then the channel of the Nelson river, from its mouth for twenty long miles up stream, is so shallow that a channel will have to be dredged nearly all the way. The deep water begins twenty or twenty-two miles from the coast, and from there to the shore a channel will have to be dug through the deposits of silt that have been carried down by the Nelson river; and this dredging will have to be done every year at great expense, in order to keep the channel open. Owing to the permanency of our tenure of office in the Senate we have the satisfaction of being able to follow up questions like this, and become thoroughly familiar with them. This is essentially a matter which this House should look into carefully. In the other Chamber where they have so many things to occupy their time and attention, they cannot give the time necessary to consider a question like this thoroughly. No one seems to pay any attention to the millions and millions that are being spent at Port Nelson and in the building of this railway. When the work is completed I claim that it will be of no commercial benefit, and the people of the Northwest, who have been advocating this enterprise in all sincerity, perhaps, would not advocate its completion now if they were better informed on the subject. The Board of Trade of Winnipeg has urged the Government to hurry the completion of this road. I ask the members from the West when that road will be completed, do you think it will pay any farmer to send his grain to be stored at Port Nelson all through the winter and the following spring, and have it sent out to the markets of the East until the next August, when the new crop would be just coming in. I do not believe that many

farmers in the Northwest would send their grain in any event by the Hudson Bay route, if it were open, knowing that they would have to keep it stored at Port Nelson for such a length of time. I am more convinced than ever that the navigation of the straits is not commercially practicable, and if these works at Port Nelson are to be completed, they will cost millions and will be always a regular sink hole for money. With all the expenditure I do not believe a harbour can be maintained there. I have had conversations with surveyors from Ontario who have been sent there for the purpose of laying out a townsite. At the very place they selected for the townsite, when there was a north wind and high tide, the whole place was under water. Consider the topography of the proposed terminus at Port Nelson. Both shores of the river are absolutely flat, and are covered with deep water when there is a high tide with a north wind. At such times the flood extends for miles and miles on both sides of the river. When the high tide recedes the channel reappears, and, as I have said, at low tide the bed of the sea is exposed for more than a mile and a quarter from the shore, and the only water you can find in that area is in the bed of the river where it is the intention to dredge a channel. If a terminal has to be made on Hudson Bay there is a more suitable place with a bold shore at Port Churchill.

Away back in the seventeenth century, the French people built at that place Fort St. Louis, the remains of which are still visible, 300 feet square. The walls are rock. They went to the expense of building that large fort, but remember, at that time, in order to get to the interior of the continent, there was no other way of travelling except by foot, and canoe, up the St. Lawrence and the Ottawa to lake Nipissing, and down French river to lake Huron and lake Superior. Then at the head of lake Superior they had to ascend the Kaministiquia river, and by a chain of lakes and rivers make their way to the prairie country. It was, therefore, comparatively easy to take the chances of navigating Hudson Straits, and that explains why the Hudson Bay Company for nearly 300 years have every year had one vessel sailing by that route. Those were wooden vessels, with very shallow draught, and built a sort of saucer-shape, so that when the ice closed in around the vessel, it would be bodily lifted out of the water and stay on the ice until the pressure was removed, when it would settle down in the water again. Captain Wakeham went there, I believe, some fifteen or twenty years ago with the Neptune. He reported that near the end of July his vessel was surrounded by ice floes. When the ice commenced to crowd the vessel they endeavoured to reach soft ice. The ice would crowd them, and the ship would be bodily lifted out of the water. The vessel would remain on the ice for a day until the pressure was removed.

Hon. Mr. McSWEENEY—Was that in the straits or bay?

Hon. Mr. CASGRAIN—In the straits. I made another speech in this House in which I explained how the Neptune was built. It all appears in the Debates, if any one would care to look at it. The vessel had cross-beams inside, so that it could not possibly be crushed, and had to rise out of the water when the ice pressure became extreme. At Port Churchill, as I said, a port might be made at reasonable expense, perhaps. Now, why the eastern provinces should be called upon to pay the lion's share of this enterprise, which can be of no practical use to any one, I fail to see. It is all very well for those who have no information about it to say, "Oh, we will ship the grain out by the Hudson strait." They overlook the climatic conditions of that place. Although the latitude is not very high, still other factors govern climatic conditions. We know that places on the European side of the Atlantic enjoy a much higher temperature than places in the same latitude on the western side of the Atlantic. That is due to the Gulf stream. If I may be permitted to digress, I may inform the House that it is the Gulf stream that gives that higher temperature on the west coast of Europe. Now what causes the Gulf stream? It is caused by the constant action of the trade winds from west to east, carrying the warm currents from the coast of South America to the coast of Africa. Thence the stream runs northward along the coast of Africa, crosses the tropics, and flows a distance of something like 3,000 miles, getting thoroughly heated. Then it comes back into the gulf of Mexico, crossing the north coast of Brazil, Dutch Guiana, French Guiana, and Venezuela. It goes all around the coast of the gulf of Mexico, and flows around the most southern part of Florida and Cuba. The water is being pressed through there very strongly, and comes out into the Atlantic at a rate of about

could inform me on the subject further would be the Arctic Pilot, which I proceeded to get from the British Admiralty, but I am sorry to say that I did not find any more information in the Arctic Pilot than we already possessed. I may be perhaps forgiven if I repeat some of the things that I have been saying so often in the Senate on this question. Nine years have passed since I brought up the subject in this House, and when I look around this Chamber and see the great number of new senators who have come in since that time it shows the advisability of re-stating some of the facts. In all those nine long years I have followed up this question, have read everything that has been written on the subject, and have always taken a very deep interest in the navigation of our northern seas. I believed then, and I believe now, that the route from Hudson bay through the straits to the Atlantic, will never be commercially practicable. Therefore I think it is right to call for those documents, and to ask whether it is opportune at the present time, with a large deficit staring this country in the face, to go on with this extraordinary expenditure, which was estimated under a former Administration at a certain sum but which, according to the figures to be brought down, will be found to more than double the original estimate of the cost. There is the great expense of building 450 odd miles of railway from Le Pas to Port Nelson, through an uninhabited country, in which for the first 150 or 200 miles there may be here and there little spaces fit for agriculture, but which for the last 200 miles nearing the shores of Hudson bay, is absolutely useless, not even having any valuable timber. I want to say that I have no politics in this matter. I know full well that this work was begun by a former Administration; but, perhaps that Administration was not as well informed as it should have been when it undertook this project. But now that this work has been going on year after year, we are better informed as to the very great difficulty attending the carrying out of the enterprise. The railway, when completed, can only possibly do business for a few months in the year, because, as every one knows, Port Nelson and Hudson bay and the straits are absolutely closed to navigation for eight or nine months in the year, and during the remainder of the year navigation by this route is most dangerous. It seems to me, therefore, that it would be only right for the Government to stay its hand, for a few years at any rate, before spending more money on the project, and especially on the development of Port Nelson. I have here a map which, with the permission of the House, I shall lay on the Table and invite hon. gentlemen to look at it, since we are here to look after the public interest. I ask hon. gentlemen to look at this map, and say if they know of any harbours in this country or elsewhere which present such difficulties in providing terminal facilities. The map speaks for itself. On the main shore line the water is shallow, and when the tide recedes there is actually a mile and a quarter of absolutely dry land left at low tide. Then the channel of the Nelson river, from its mouth for twenty long miles up stream, is so shallow that a channel will have to be dredged nearly all the way. The deep water begins twenty or twenty-two miles from the coast, and from there to the shore a channel will have to be dug through the deposits of silt that have been carried down by the Nelson river; and this dredging will have to be done every year at great expense, in order to keep the channel open. Owing to the permanency of our tenure of office in the Senate we have the satisfaction of being able to follow up questions like this, and become thoroughly familiar with them. This is essentially a matter which this House should look into carefully. In the other Chamber where they have so many things to occupy their time and attention, they cannot give the time necessary to consider a question like this thoroughly. No one seems to pay any attention to the millions and millions that are being spent at Port Nelson and in the building of this railway. When the work is completed I claim that it will be of no commercial benefit, and the people of the Northwest, who have been advocating this enterprise in all sincerity, perhaps, would not advocate its completion now if they were better informed on the subject. The Board of Trade of Winnipeg has urged the Government to hurry the completion of this road. I ask the members from the West when that road will be completed, do you think it will pay any farmer to send his grain to be stored at Port Nelson all through the winter and the following spring, and have it sent out to the markets of the East until the next August, when the new crop would be just coming in. I do not believe that many

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Away back in the seventeenth century, the French people built at that place Fort St. Louis, the remains of which are still visible, 300 feet square. The walls are rock. They went to the expense of building that large fort, but remember, at that time, in order to get to the interior of the continent, there was no other way of travelling except by foot, and canoe, up the St. Lawrence and the Ottawa to lake Nipissing, and down French river to lake Huron and lake Superior. Then at the head of lake Superior they had to ascend the Kaministiquia river, and by a chain of lakes and rivers make their way to the prairie country. It was, therefore, comparatively easy to take the chances of navigating Hudson Straits, and that explains why the Hudson Bay Company for nearly 300 years have every year had one vessel sailing by that route. Those were wooden vessels, with very shallow draught, and built a sort of saucer-shape, so that when the ice closed in around the vessel, it would be bodily lifted out of the water and stay on the ice until the pressure was removed, when it would settle down in the water again. Captain Wakeham went there, I believe, some fifteen or twenty years ago with the Neptune. He reported that near the end of July his vessel was surrounded by ice floes. When the ice commenced to crowd the vessel they endeavoured to reach soft ice. The ice would crowd them, and the ship would be bodily lifted out of the water. The vessel would remain on the ice for a day until the pressure was removed.

Hon. Mr. McSWEENEY—Was that in the straits or bay?

Hon. Mr. CASGRAIN—In the straits. I made another speech in this House in which I explained how the Neptune was built. It all appears in the Debates, if any one would care to look at it. The vessel had cross-beams inside, so that it could not possibly be crushed, and had to rise out of the water when the ice pressure became extreme. At Port Churchill, as I said, a port might be made at reasonable expense, perhaps. Now, why the eastern provinces should be called upon to pay the lion's share of this enterprise, which can be of no practical use to any one; I fail to see. It is all very well for those who have no information about it to say, "Oh, we will ship the grain out by the Hudson strait." They overlook the climatic conditions of that place. Although the latitude is not very high, still other factors govern climatic conditions. We know that places on the European side of the Atlantic enjoy a much higher temperature than places in the same latitude on the western side of the Atlantic. That is due to the Gulf stream. If I may be permitted to digress, I may inform the House that it is the Gulf stream that gives that higher temperature on the west coast of Europe. Now what causes the Gulf stream? It is caused by the constant action of the trade winds from west to east, carrying the warm currents from the coast of South America to the coast of Africa. Thence the stream runs northward along the coast of Africa, crosses the tropics, and flows a distance of something like 3,000 miles, getting thoroughly heated. Then it comes back into the gulf of Mexico, crossing the north coast of Brazil, Dutch Guiana, French Guiana, and Venezuela. It goes all around the coast of the gulf of Mexico, and flows around the most southern part of Florida and Cuba. The water is being pressed through there very strongly, and comes out into the Atlantic at a rate of about

four knots an hour, then following the coast of Florida, going northward, passes about half-way between New York and Bermuda diminishing in speed, and flows in almost a straight line to the coast of Ireland, and around the British Isles. I may say that the current is reduced there to about half a knot in 24 hours, and I might also say en passant that it would be quite sufficient any time to remove floating mines that might be around the British Isles, as that steady current running northward would carry them up north whence they may never return. That is on the east side of the Atlantic. Then the Gulf stream flows still farther. It goes on and washes the coast of Norway, and actually enters—and this is rather interesting—the Arctic ocean and on to the 69 parallel which is 2 degrees inside the Arctic circle, and along the northern side of Norway, and goes on still farther, passing the eastern boundary line of Norway, and following the northern coast of Russia for 150 or 200 miles and it may be very surprising to know that these shores, although in the Arctic ocean, are almost free from ice. That is why the Russian Government are building a double track standard gauge railway from Kola bay, 1,200 miles down to Petrograd. The Gulf stream having gone that way and become chilled by the Arctic waters, returns south by way of Davis strait and Baffins bay bringing down icebergs. That is why, in the spring of the year, you notice the icebergs moving south all the time along Hudson straits and the coast of Labrador. We cannot change climatic conditions. Just as the warm Gulf Stream influences the climate of the British Isles, and Norway, the cold current that comes down Baffin bay and Davis straits, and out of Hudson straits flows along the Labrador coast, keeps the temperature, even in summer on the northern part of Newfoundland very cold, and makes it so that the straits are never free of ice. If you read the Government report of the trips of the Alert and Neptune, one by Commander Lowe, and another by Commander Wakeham, you will find there is ice in the straits every month of the year, and there are terrible storms about the middle of August. It has been impossible to enter Hudson Straits before the middle of July every year. The straits are 550 miles long, and there is a current sometimes 9 miles an hour running through them with the ebb and flow of the tide. Now we all know the peculiarities of the tide. It is not changed underneath at the same time it changes on the surface, therefore a tremendous iceberg rising 40 or 50 feet or more above the surface, and probably extending down below the surface ten times that number of feet will be carried in one direction and the surface ice in another, and woe to the vessel that is caught in the surface ice, with the iceberg coming towards it at a speed of six or seven miles an hour. It is bound to be wrecked, unless specially constructed as those vessels intended to navigate Hudson Bay are built. I may say that these vessels, constructed to withstand the ice pressure, are very poor carriers, because they are made so strong that there is hardly any place for freight. I have already stated that I do not think it is possible or probable that any one would send his grain by the Hudson Bay route. It is well known and generally admitted that the grain crop of one year cannot be taken out the same year by that route. It cannot be taken out before August of the following year. If you figure out the interest on the value of that wheat, the cost of storage, and moreover the enormous marine insurance you would have to pay for any vessel that would attempt to use that route, you find that it cannot compete with existing transportation lines. In conclusion I would ask the Government if they would kindly give the information I have asked for as soon as possible. I think when this House realizes the amount of money involved in completing that project, those who have influence with the present Government will ask them to stay their hand at least for a little while until the finances of the country permit them to go on with it.

Hon. Mr. WATSON—It is not often I take exception to the remarks of the hon. gentleman, but on this subject I do. I have some sympathy with the hon. gentleman's idea that at the present time the Government should not spend a very large amount of money at Port Nelson, but so far as the building of the Hudson Bay Railway is concerned, I think he is a little late in the day to suggest that it should be abandoned. He says it is a good job that some of us are constantly in public life and able to look back and advise the new-comers as to what has taken place in the past. The first committee of the House of Commons upon which I had the honour of being a

representative of the people was in 1883 when I was a member of the committee called for by the late Joseph Royal for the purpose of getting information on the navigation of Hudson Bay. At that time we had the power to call for persons and papers. We had the Bedford whalers, who had traversed that route for years, and we obtained all the information we could get. At that time we came to the conclusion that the navigation of Hudson Bay and straits was practical for four months of the year.

Hon. Mr. CLORAN—That is not enough.

Hon. Mr. WATSON—Well, that has been increased wonderfully by modern inventions. We know that Hudson bay is as open as the Atlantic or the Pacific, and the Hudson straits are 60 miles wide without any obstruction in them, and clear open water, except for ice certain seasons of the year. There is no doubt about the navigation. No person claims that Hudson strait is full of ice at any season of the year. One of the inventions helpful to navigation to which I refer is wireless telegraphy. A vessel coming into Hudson bay wishing to know if there is open water through the straits, can be advised by wireless if they can come through, which would have the effect of lengthening the season two or three months. It has been suggested that vessels can go in there from six to eight months of the year—

Some GENTLEMEN—Oh, no.

Hon. Mr. WATSON—Those who make that suggestion are enthusiasts. Then, as to storing wheat at Port Nelson, the people of the Northwest have advocated that as a means of getting additional value for their wheat. It is much better to have it stored there than on the prairies, as it is sometimes stored in Saskatchewan. The railways have had to put an embargo on it. I would almost have thought my hon. friend had a brief for the steamship company in which he is interested, which carries wheat from Fort William, and that he does not want to see it go the other way; but there have been snow storms on lake Superior in which boats were not safe, and the insurance has been very high. I am not advocating Port Nelson as a terminal. I have my doubts as to whether that is the best port. Instead of going to Nelson you can go to Chruchill and get a good harbour. I have my doubts about Port Nelson, because the pressure of the ice on any pier erected there must be tremendous. That is a matter for the engineers. I think that at present the Government should proceed slowly in regard to the location of the terminal. So far as the railway is concerned, the Government of Canada are perfectly justified in building it as a colonization road.

Hon. Mr. POWER—To what?

Hon. Mr. WATSON—Hudson Bay, either Nelson or Churchill. I am not going to advocate either one. Churchill is a port that has been used for hundreds of years. We had a committee of the Senate three or four years ago, of which the hon. gentleman from Prince Albert was chairman, and the evidence adduced at that time from people who knew the country shows that the hinterland of the Nelson region is capable of maintaining a great population. There is a lot of good land and timber in that locality and there is supposed to be a lot of good minerals also.

The same objection that is urged against the building of the Hudson Bay railway was raised to the building of the road up to Cobalt a few years ago. It was suggested that the people of Ontario could not afford to build a road in that direction. If that road had not been built the chances are that the silver mines of Cobalt would never have been discovered, and now there is a rush farther north in connection with the locating of gold mines. I say that the people of Canada are justified in building the line to Hudson bay as a colonization road and that a glance at the map will show this.

Hon. Mr. DAVIS—Even if never a bushel of wheat goes out there—to open up that country.

Hon. Mr. CLORAN—Settle the Northwest first.

Hon. Mr. WATSON—I cannot at all subscribe to my hon. friend's idea that the expenditure for building that road should be stopped. The road ought to be completed. My hon. friend thinks nothing can go out by that route, but the people of the West have for years believed it will be found practicable. I am not as enthusiastic about that part of it as I am about building the road for settling the territory through which it runs. The time has gone by when the eastern provinces can talk against spending money for building that road. If there is any part of Canada in regard to which the people of this country have hope

for its future, it is the Northwest. It is a little too late for my hon. friend to repeat the story that we used to hear 25 or 50 years ago—practically before we could grow wheat in that country—that the eastern provinces of Canada were the taxpayers for building up the Northwest. The hope of Canada is in opening and building up and developing the great Northwest. I have no objection to the production of statistics on this subject, but I do not think my hon. friend is justified in making the remarks he has made to-day, with the information that the Senate had before them in the investigations made in the past. If he imagines that we are going to be influenced by criticisms of this route he has rather reflected on the intelligence of the members of this House, because we have paid a good deal of attention to the navigation of Hudson bay, and our information on that subject does not warrant the statements the hon. gentleman has made in the House to-day.

Hon. Mr. DAVIS—I was very much surprised at the speech of my hon. friend from Montreal in regard to the Hudson Bay route. I do not remember him taking such strong ground against the expenditure of money in building that road when it was first proposed. I do not think it is right for members representing the older provinces to be continually claiming that the eastern people have to pay all the bills for the development of the West.

Hon. Mr. CASGRAIN—And no railroads!

Hon. Mr. DAVIS—My friend is a small Canadian. He must realize that the West is growing rapidly, and that the wealth of the country is coming from that part of Canada at present. We have built railways in the East. We built the Intercolonial railway and we know that the money that was put into that railway has not been paid yet, but is represented by outstanding bonds. The people of the West are glad to pay their share of it, and nobody has heard any of them kicking about the expenditure. It is bad policy for any Canadian to be constantly knocking any part of his country. My hon. friend has never heard me knocking any part of the province of Quebec. There may be places in Quebec where there are icebergs and stones and all that kind of thing, but I have never drawn the attention of the House to them. As a matter of fact, all the evidence we have had for years in connection with northern Saskatchewan and Alberta establishes the fact that there is a lot of first-class agricultural land there. I have seen the reports of experts, men who have travelled over that country and know what they are talking about, and I am prepared to accept their statements a good deal quicker than I would accept the statements of my hon. friend who has just made a speech decrying that country. We know that there is any amount of first-class land.

Hon. Mr. POWER—Where?

Hon. Mr. DAVIS—All along that line of railway, much better than some of the land cultivated in other parts of this country—in Nova Scotia, and New Brunswick, and the county of Addington out here—100 per cent better, and that people will go and settle in there. Then there is the question of building this line as a colonization road. Apart from the shipping of grain to Europe, the fact that that country to the north had to be opened up and that a colonization road had to be put in there was very obvious to everybody in this country. I know a place within sixty miles of the part of this line already constructed where an expert from Cobalt reported that he saw over fifty million dollars' worth of sulphate. That is a smelting proposition, and there are all kinds of minerals there. The Ontario Government built a road through a country where there was not nearly as much agricultural land, or nearly as much timber land as in the 500 miles where we are going to build the Hudson Bay road, and there was the same sort of criticism of that enterprise as we are now hearing in connection with the Hudson Bay road. We do not hear that criticism now about that Ontario road, because it has opened up the Cobalt country and the gold region farther north, that have produced enormous amounts of wealth. Our north country will be well explored after the war is over. Another source of wealth is the fisheries of Hudson bay. We have any amount of fisheries that have never been touched. The very best fish are to be found in that country. Immense lakes are teeming with fish that will add to the traffic of that road when it is built. I am not prepared to say that Port Nelson is a proper terminal for the road, but I suppose that the Government engineers ought to know better than I do where the road should end. One thing we do know, is that Churchill has been used as a port for hundreds of years, and that at one time it was an important harbour.

Some of the largest French warships visited the place. As a matter of fact, there was a naval engagement in Hudson bay, and the ships which took part in it came through the straits which my hon. friend thinks are hardly navigable. Hundreds of vessels have passed through the straits, and only two of them have been lost. They navigated it with the old sailing vessels in the past for three months of the year. As my hon. friend has stated, now that we have wireless telegraphy, lighthouses and other aids to navigation, we may be able in the near future to navigate the straits four or five months in the year. If my hon. friend would take the trouble to read the evidence of the committee of which I was chairman, he would find that there are three times as many snow storms in the straits of Belle Isle as there are in Hudson straits, but my hon. friend never said anything about the icebergs that interfere with navigation around Belle Isle.

Hon. Mr. CASGRAIN—I did.

Hon. Mr. DAVIS—Then I was not in the Chamber when he did. I believe that with proper facilities the season of navigation in Hudson straits is just as long as in the straits of Belle Isle. My hon. friend talks about the cost of storing wheat at Port Nelson, but he does not tell about the immense amounts we have to pay for hauling that wheat from Winnipeg to the seaboard. How much money would that amount to? Port Nelson is only 500 miles from Winnipeg and the wheat lands of Saskatchewan, as against a couple of thousand miles that must be traversed to get to tide water by existing routes. We have that much in our favour. We now have to store our grain at Fort William for six months of the year, and pay storage and interest. I don't know that we would have to store it much longer at Hudson bay. If my hon. friend has read the reports that have been before this House, and the statements made by men who have investigated this question, and who have travelled through that country, he will find that the navigation in Hudson straits is open a month longer than it is on lake Superior. It is in the spring that the navigation of the straits is not open, and not in the fall of the year. My hon. friend laughs, but if he looks further into the matter, he will see that during the fall of the year, into November and on into December, the straits are open, and that is the time when we want to get out the wheat. But we have something besides wheat. We have enormous herds of cattle, and the shrinkage on those cattle coming down from the prairies over the railroad or on the boats is over 10 per cent. We send those cattle out in August, and surely my hon. friend does not say the straits are not open in August. That being so, we could send them through the straits to the Old Country and save that 10 per cent. As far as the building of the road is concerned, I think the money is well spent. I know that all the people up in our country think so, and many of the people down here think so too. The Western country is bound to progress, and with increased population we can produce enough on the Western prairies for 60 million people, and there would be all kinds of work not only for the Hudson bay road, but for the roads down East, and all other means of transportation. All the steamships and trains would be occupied in taking out the products of our country. Do not let us start to knock new projects. This work has not cost a terrible lot of money; to stop work on the road now would be ridiculous. As far as the work has gone, it is a very good road and my hon. friend will find that when it is completed it will pay more than a lot of railways in Quebec, where there is not one passenger a week. We have proof that there are millions of acres of good lands and timber, fish and minerals along the line of the Hudson Bay railway, and there is a prospect of having a safe route through to Great Britain. Another thing that my hon. friend has not imagination to see is that the Hudson bay is going to be the greatest summer resort on this continent. My hon. friend laughs, but I may tell him that that is a fact, and there is no use of him laughing about it. There is a beautiful summer climate there, and tourists will be right on the salt water. The hunting and fishing are good, and if Fort Churchill should be made the terminus, I fancy we will see it become one of the greatest summer resorts on this continent and there will be an immense tourist traffic on that road. Of course, my hon. friend will tell you that there is not going to be enough traffic to grease the wheels, but I think the road will pay notwithstanding that some people knock it. We have stood the nocking of that road for a quarter of a century; in fact it has been knocked all the time. Some have been

knocking it for 30 or 40 years, but now that it is an accomplished fact, the road being practicaly built, they will find that there is work for the road, that the money has been well spent, and that the people of this country will be thoroughly satisfied.

Hon. Mr. EDWARDS—My hon. friend in introducing his remarks said he was not going to knock any part of the country, but I think he knocked Quebec province pretty well before he got through. On the subject of the Hudson Bay railway there is about as much diversity of opinion as there is on the postage stamp. So far as the payment for the construction of this road is concerned, it is my humble opinion that the people of the West will pay their pro rata share according to population, and the people of the East will pay their share on the same basis. But I have a different opinion as to the advisability of the construction of this road from that of my hon. friends from the West who have just spoken. I conscientiously believe that in the best interest of Canada the construction of that road should cease —that it should never be completed. We have had many schemes promoted in Canada which were not in the best interests of Canada. Take, for instance, the Chignecto railway. That was thought just as advisable, when it was being constructed, as the opening up of the Hudson bay route, or they never would have built it. The Georgian bay canal has been a live scheme for 50 or 60 years, and I venture to say that if you had all the Montrealers here—and there are very many intelligent men in Montreal—every man would advise the construction of the Georgian Bay canal. I differ from my hon. friend upon this subject. The Hudson Bay railway and the Georgian Bay canal are twin brothers—two of the most impracticable schemes that have ever been suggested in Canada. Now, Governments are not always composed of practical business men, and they never will be, but I give credit to the present Government for one thing, and that is that they are making an inquiry as to the economic advantages to Canada of the building of the Georgian Bay canal. The report thereon has not yet been issued, but I have made several visits to the offices where the inquiry has been conducted, and I would advise every hon. gentleman here to go and see for himself the demonstration of its possibilities so far as traffic is concerned. I am confident that when that report is given out it will be absolutely adverse to the construction of that canal; it will be of such a nature that I believe the canal never will be built, and in the best interest of Canada should never be built. I want to give you another illustration of something in regard to Government reports. Running down to Hudson bay there is a large stream called the Albany river. The Geological Branch of the Dominion Government has a report upon the value of that stream for timber purposes. The Ontario Government some years ago made a survey, and in the report thereon it was stated that over 300 million cords of pulp wood would be found upon that stream. Now, perhaps my testimony will not be very much good, because it is only the testimony of an individual against two Governments, both of which described the Albany as a very valuable river for timber purposes. In consequence of reading those reports of the Government, I sent an exploring party to ascertain the possibilities of that river for pulp producing purposes. Our exploring party at every 10 miles travelled 20 miles inward from the river into the interior. Their report is to this effect, that immediately on the banks of the stream there is a fine showing of timber, but in the interior there is no timber at all, and their advice was not to take the territory if it were given to us for nothing but the ground rent thereon. The men who made that exploration had no object in advising us against our interests, and that was their advice. Speaking of harbours, our report was that when you got to the bay you would have to build a long way out before you could do any shipping.

Hon. Mr. THOMPSON—Port Nelson?

Hon. Mr. EDWARDS—No, this was at Moose Factory, but it is the same thing. Some hon. gentlemen speak about steamships coming in there. I imagine those steamships anchor a very long way out in the bay and that small boats are used to land or ship the freight. It is absolutely impossible for a ship to approach land any where. My hon. friend spoke of a naval battle having taken place on Hudson bay. Why, a naval battle took place in the Baie des Chaleurs, down the St. Lawrence, but that does not demonstrate the possibilities of the bay for navigation. Now I have no feeling in this matter. I am desirous that railroads and canals should be built when the finances of Canada justify them in the best interests of the country and of all parts of Canada. I have no sectional in-

terests whatever to promote, but I firmly and honestly believe that the Government to-day should fully consider, in the best interests of Canada, the abandoning of that foolish and futile scheme. It would be a bold thing, I admit, but it would be a manly thing to do, and even at this late date full investigation should take place before any further expenditure is made. I have heard the hon. gentleman's statement that the Hudson straits may be open for five or six months, but I have made very careful inquiry and I have never found the most sanguine promoter of that scheme speak of more than three months.

Hon. Mr. THOMPSON—Six weeks.

Hon. Mr. EDWARDS—Six weeks to three months. It is an absolutely impossible project ,and in the best interests of Canada, and at this time when it is so essential that no money should be spent except in the interests of Canada, this foolish scheme should be abandoned. I do not anticipate for one moment that the land bordering on the railway is any better, excepting nearer the prairies, than the land that I described in the valley of the Albany river. I have information from men engaged in the building of that road to the effect that for a very long distance along the line of the railway the land is valueless for agriculture, timber or any other purpose.

Hon. Mr. MURPHY—Did the hon. gentleman's exploring party sound the bay at the port of Nelson, and at what distance from the shore?

Hon. Mr. EDWARDS—No, our party was not at Port Nelson.

Hon. Mr. DAVIS—They were looking for timber.

Hon. Mr. EDWARDS—Looking for timber. It happened that by pure accident silver was discovered at Cobalt just at the time that the T. & N. O. railway was built. If that is a good argument for constructing the Hudson Bay railway, then let us project lines northward all through the Dominion of Canada in the hope that we might find a mine somewhere. I desire to see prosperity throughout our great Northwest. Its development is all in the interest of Canada; but let us have good sound common sense and not advocate the prosecuting of such a project as the Hudson Bay railway. I do not like to be personal, but I should just like to leave this subject to the honest conviction of my hon. friend who leads the Government in this House. I am sure that he knows better. He shakes his head. Ah, no, if he were outside he would put it the other way. I have no feeling on this subject, except that I think this Hudson bay project is a mistake, and that even at this late date the Government should discontinue the construction of the road.

Hon. Mr. BEIQUE—How far has the construction of the road progressed? What has been done?

Hon. Mr. CHOQUETTE—I regret that this discussion has taken place to-day. I do not see any good object in taking up time in depreciating the construction of a railway which is now about finished. I am willing to admit that my hon. friend brought up the question with the best of motives, and that he has no personal interest whatever in the matter, but I do not see why he was not listened to before the building of the road was undertaken. Now that the road is nearly half finished, what purpose can be served by depreciating the railway. It will go abroad not only in this country but all over the world that Canada is spending millions of dollars in building a road which cannot help in the development of this country; hence I really regret that this discussion has taken place. On the other hand, there are some railways throughout the country that ought to be helped. I am sorry the hon. leader of the Government could not give me the answer to-day about this ferry crossing between the Rivière Ouelle wharf and St. Irenée and Murray Bay, for hon. gentlemen will observe that I am asking for documents in connection with the Quebec and Saguenay railway. I should like to impress upon my hon. friend the desirability of giving the answer to-morrow, in order that I may bring up the matter of the Quebec and Saguenay railway before the end of the session. It is a road that is nearly completed and has been waiting for the Government to take it over, as they have done with other roads in the province, and finish it. There are country parishes on that route that have been established for 200 years that have never got anything, though they have paid their share for the construction of other railways. I am not saying a word against that, but as to the Government doing something to finish or help to finish the Quebec and Saguenay railway I shall have something further to say as

soon as I have an answer about the ferry crossing between Murray Bay and Rivière Ouelle; so I hope the Government will see their way to giving me an answer to-morrow.

Hon. Mr. CLORAN—It is not my intention to discuss either the merits or demerits of this proposition. I merely wish to put my hand on the shoulder of my good friend from Saskatchewan and say to him that he is very much mistaken when he told the Senate and the country that there were railways in the province of Quebec that did not have one passenger a week.

Hon. Mr. CHOQUETTE—He said that in a joking way.

Hon. Mr. CLORAN—The joke passes well when you hear it, but when it is put in cold print it reads and sounds very badly. Now, supposing it is telegraphed all over the world that the province of Quebec has railways running without one passenger a week, people will not take it as a joke. I say whatever road is built is paying good money to everybody who invested capital in it, especially the Government. The hon. senator from Grandville has called the attention of this hon. House and of Parliament to the fact that the Transcontinental railway, which has cost hundreds of millions, is not doing the right thing by the province of Quebec, so that on the section from La Tuque district down to Quebec, where there are hundreds and hundreds of passengers every day, the Government does not give the service that those people require.

Hon. Mr. CHOQUETTE—Hear, hear.

Hon. Mr. CLORAN—I know from personal experience. Now, the hon. senator from Grandville has done his duty in regard to the matter. I would remind my hon. friend from Saskatchewan that he must not knock too hard or he will have the knock sent back to him.

Hon. Mr. BOYER—We have all got our little schemes to-day. Suppose I were to bring one up and leave it with the hon. senator from De Lanaudière to work it out. The bottom of lake Superior is supposed to be from 150 to 180 feet lower than the ocean on the coast of Florida. Somebody has suggested the idea—it is a scheme—of digging a tunnel from the coast of Florida to lake Superior and let the Gulf stream flow in. In less than 5 years the old shores of the river St. Lawrence would be an orange grove; no more icebergs in the straits; Hudson bay perfectly navigable. I leave the scheme to my hon. friend to work out and let us know if it is feasible.

Hon. Mr. SPROULE—Listening to the hon. senator from Rideau (Hon. Mr. Edwards) when he said that the Hudson Bay railway and the Georgian Bay canal were twin brothers although in different localities, I thought he did not follow out the comparison as Mark Twain did when he said that ham and eggs were twin brothers; individually they were not so valuable, but when you brought them together collectively they were a valuable asset for any one. He does not seem to have confidence in either project. Well, I must have misunderstood him in the past; I thought he was a very strong advocate of the Georgian Bay canal. I have only this to say in reference to the Hudson Bay railway. Any one who has ever travelled much through the three great western provinces —Manitoba, Saskatchewan, and Alberta— must have been struck with the fact that the people are almost unanimously in favour of that railway, regarding it as one of the great requisites for the trade of that country. I heard a comparison like this one time up near Edmonton,—that provided the people of that country had 150 million bushels of grain to export and could ship it by that route, and save 10 cents a bushel on it compared with the cost by the existing routes—it would mean a saving to the people of that country of 15 million dollars in freight. In all human probability, they calculated, they would have twice or three times that amount to ship out in the future some years, and if so it only showed how much more valuable that route was than the other routes if it was feasible. Of course they are strongly of the opinion that it is feasible. I am not at present either defending or advocating the route. I have often thought in regard to this road, as with many other projects, that in the early history of the country opinion is generally unfavourable when not much is known about the country, but after we come to know more about it opinion grows more and more favourable. I always thought that might be the case in reference to the Hudson Bay road as well as with reference to the growing of grain as we move north.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. SPROULE—It may be that the Hudson bay route will be much more valuable than we anticipated. Another question that often passes through my mind and that seemed to me to be an argument somewhat in favour of the road, is that the old Hudson bay traders who carried on navigation through the straits between two and three hundred years, so far as the records tell, left no evidence of their having lost old wooden vessels, which could not be as fit for such navigation as modern vessels are. I think the records show that they never lost but one or two of those vessels on that route. Now, if they were able to carry on navigation with inferior vessels, what could be done if you put on that route very high class steam vessels? It seemed to me that that was an argument in favour of the route. But it is said by some that if you avail yourself of that route the grain must remain in that country over the winter and spring and summer before it can be shipped, because it would not be available for shipment during the season of navigation in the fall of the year when the grain was raised. But look at the present situation. How many million bushels of last year's grain remain in that country to-day, and will not be shipped out until the time when there would be navigation in the Hudson bay. Why, there will be millions of bushels of last year's crop that will not be moved until next winter. Might not that just as well go out by Hudson bay as come eastward? And if they could save 10 cents a bushel on it, see what a valuable return there would be to that country.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. SPROULE—Those are the arguments that incline me to the opinion that there may be and probably is a valuable route there if money enough is spent on it to make it practicable. It will be a valuable route and most useful for the people of that Western country, whether it will be so for us in the East or not.

Hon. Mr. EDWARDS—May I be permitted to trespass sufficiently to say that if any hon. gentleman will look at the remarks I have made on the Georgian Bay canal for the last 30 years in Parliament he will find that on no occasion did I support that project.

Hon. Mr. SPROULE—I must apologize to the hon. gentleman. I misunderstood him. In this Ottawa valley they will say it shows bad judgment.

Hon. Mr. POPE—I should like to ask the hon. gentleman where we could look and find something that he did support?

Hon. Mr. EDWARDS—I will let my hon. friend do that himself; it may interest him.

Hon. Mr. POWER—There are two or three points that occur to me with respect to this matter. In the first place, I may mention the thing that was said last. The hon. gentleman from Gray spoke of the Hudson bay wooden ships as having made trips to Hudson bay for a period covering something like 300 years. That is perfectly true. But if the hon. gentleman will examine the records he will find that those ships never entered Hudson bay before the middle of July, and they got out in the end of August. or beginning of September. The hon. gentleman from Prince Albert (Hon. Mr. Davis) I thought reflected in a more or less objectionable strain upon the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain) for having spoken as he did. The hon. gentleman from De Lanaudière made a speech which could not be offensive to any one. It was a perfectly courteous and proper speech for the Senate, and the Senate is a place for free speech. I do not think the hon. gentleman from Prince Albert, or any other member of the House, has a right to sneer at any hon. gentleman who makes a courteous speech, and especially a speech which contained such valuable information as that made by the hon. gentleman from De Lanaudière. The hon. gentleman from Prince Albert was chairman of the committee which last dealt with this subject of the navigation of Hudson bay. I have been a member of, I think, about five committees of the Senate, covering a period of twenty years, where the question of the navigability of Hudson bay and the agricultural and lumbering prospects of the country west of Hudson bay have been considered, and I may be prejudiced—perhaps I was—but I do not think that any one of these committees which considered the question was satisfied that the navigation of Hudson bay was likely to prove very practical and satisfactory. The hon. gentleman from Prince Albert took the ground that the longer we live the more favourably we regard the Hudson bay route. We have had references made to Commander Wakeham's and Mr. Lowe's reports, and some other

early reports, but the latest we have had are the reports of Capt. Anderson who has been in Hudson bay, season after season, and he probably knows the bay and straits better than any man living. His report practically declares that the navigation of Hudson straits is impracticable. He gives the period of navigation as not more than six weeks at best, and I think that that is a report which deserves some consideration. However, the question has been settled practically. Both Governments have decided that a railway shall be built to a harbour on Hudson bay. The point as to which I appeal to the hon. leader of the Government and to this House is this: I understand that the Hudson Bay railroad has not yet got so far that the Government could not, if they chose, deflect the road from Nelson to Port Churchill, and my only suggestion is that the Government should not be in a hurry completing the road to Port Nelson until they have first ascertained whether it is practicable at any reasonable cost to make a port at Nelson; Churchill is a port, there is no question about that, and the Government will save a great deal of money by going to Churchill. It is not unreasonable, considering the efforts of economy we are all supposed to make now, that having spent some ten millions on this undertaking, we should not spend any more until we feel sure we are going to get somewhere when the expenditure is ended.

Hon. Mr. LOUGHEED—This is a motion for bringing down papers dealing with the expenditure of public money at Port Nelson, etc. The duty of the Government, broadly speaking, is to ascertain what public opinion is upon any public question, and as far as possible to give effect to it. There is no doubt as to what public opinion, particularly in Western Canada, has been for a great number of years upon this particular subject. I do not propose, at the present moment, to enter into a discussion as to the merits or demerits of this question. It is needless to say that there is a very great diversity of opinion upon it. The duty which faced the late Government of coming to a conclusion on this subject was not a light one. It was a very serious one. Likewise the same duty has fallen upon the present Government. Both the late Government and the present Government have investigated this question to the greatest possible extent. They have exhausted every public source of inquiry, commissions have been held, investigations have been made, inquiries have been pursued, and for years observers have been placed—that is in boats and otherwise—in the straits for the purpose of furnishing information as to whether the straits are navigable or not. The result of all that effort on the part of the Government of Canada has been a determination to proceed with this public work. I need not say to hon. gentlemen that scarcely has any great public work been undertaken, not only in Canada but in America—one might say in the world—that the same difficulty has not faced those who have assumed the responsibility of entering upon and carrying out the undertaking. There was a time in the history of Canada when the criticism as to the navigation of the St. Lawrence was just as serious as the criticisms being made to-day as to the navigation of the Hudson Straits, and had attention been given to those who held adverse opinions at that time, and whose judgment was relied on, that the St. Lawrence was not really navigable, I doubt if any great expenditure and effort would have been made to improve the navigation of that stream. Criticism of the building of the Canadian Pacific railway when it was first promulgated was quite as serious as it is against the navigation of Hudson Straits. Some of our public men, on whose judgment we placed great reliance in pre-confederation days, as well as after, voiced their best judgment when they said that the carrying out of such an undertaking was impracticable; and that the railway if built would not only involve the country in ruin, but the road itself would not make enough to pay for the grease for the wheels. One might refer to some criticisms as to the building of the Panama canal, and in fact any great work that has been constructed, but I doubt if any one can to-day mention a physical difficulty that has not been overcome by human ingenuity. I say advisedly that nature has not yet placed a physical difficulty that cannot be overcome by the ingenuity of the human mind, and I believe in this case that, owing to the ingenuity of mankind, owing to the progress of the present age, and particularly the progress which is yearly being made in navigation, the time will come when we will express the utmost surprise at the criticism which has been directed against the Hudson bay route. It seems to me if, in a primitive way, the Hudson Bay Company has been navigating those straits for 300 years without

meeting any formidable difficulty, surely in this progressive age, when the science of navigation has been developed to such an extent as we to-day enjoy it, to say that the straits cannot be navigated commercially is to minimize the progress and the ingenuity of all human efforts and undertaking. I do not profess to be sufficiently familiar with this project to express anything like a dogmatic opinion upon the subject, but I do say that there has been a sufficient current of public opinion expressed and brought to bear upon, not only the late Government, but upon the present Government, to justify them in having entered upon the undertaking which they are to-day prosecuting, and which I hope in the near future will be carried to a successful conclusion. I see no reason why the papers my hon. friend has asked for should not be brought down at an early date.

The motion was agreed to.

THIRD READING.

Bill 48, "An Act to amend an Act to incorporate the Canadian Red Cross Society."—Hon. Mr. Lougheed.

SECOND READINGS.

Bill B-2, "An Act to incorporate The Atlantic Park Association."—Hon. Mr. Choquette.

Bill D-2, "An Act for the relief of Christopher Sinclair."—Hon. Mr. Derbyshire.

UTTERANCES OF THE SPEAKER.

DEBATE POSTPONED.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Pope, seconded by the Hon. Mr. Taylor:

That this House deeply regrets that in more than one public speech, and particularly in a speech at a public meeting held at Ottawa on the twenty-seventh day of June last, His Honour the Speaker of the Senate has made injurious and unjustifiable remarks about members of the Senate, and this House is of opinion that it is highly improper for any senator while holding the high office of Speaker to publicly engage in violent public controversies and make statements calculated to throw discredit upon this House or the members thereof.—Hon. Mr. Sproule.

Hon. Sir MACKENZIE BOWELL—Stands.

The SPEAKER—I would ask the House to proceed with the motion. I do not want a matter of this kind to be suspended over my head all the time. It is not fair to me, and I ask the Senate to dispose of the motion now. The Hon. Mr. Dandurand will please take the chair.

Hon. Sir MACKENZIE BOWELL—I was going to suggest to let it stand until to-morrow. It would be better to discuss the matter when the committee appointed to interview the Speaker has made its report.

The SPEAKER—Then in that case I withdraw the answer I gave the committee. Here is a motion against me. I ask that the motion be disposed of to-day. It is a question of privilege, and if it is a question of privilege it must go on before any other motion, and I have a right to ask that this way of dealing with the matter should conclude now.

Hon. Mr. BEIQUE—I ask whether the committee which was appointed has interviewed the Speaker?

Hon. Sir MACKENZIE BOWELL—It is a question between the Speaker and myself whether I shall be permitted to give an answer to that. I asked to have the matter stand until the committee makes it's report, when the answer to the question will be given fully to the Senate. I quite agree with the Speaker that it should be put out of the way as soon as possible.

The SPEAKER—I cannot do otherwise than accept the suggestion made by the hon. gentleman from Hastings, but I do it under protest.

Hon. Mr. POPE—I do not see the occasion for protest.

The SPEAKER—The hon. gentleman is not obliged to see it.

Hon. Mr. POPE—I have the privilege of living in the same universe, with your permission, Mr. Speaker. I would not think of breathing, except by your permission.

The SPEAKER—I do not want to discuss it. If I desired to discuss it I would take another seat. If this is to be discussed, let it be discussed. If it is to be discussed to-morrow, let it be put off until to-morrow without any discussion.

Hon. Mr. POPE—Just wait a moment. Some other hon. gentlemen have a place in this terrestial globe besides the hon. Speaker, and also some rights under the sun. I do not presume to have any very great privilege and I do not ask for it, but this question was placed on the Order Paper by myself as I thought in the in-

terest of the Senate. I was asked to permit it to stand the other day in order that a committee might be appointed to visit the Speaker and see what his reply would be. This has been before the Senate for several days. It has been in the public press for several weeks, and therefore when the hon. Speaker objects to a day's delay I say that the agony he is putting on exceeds the pain.

The SPEAKER—It was treated as a matter of urgency— as a matter of privilege. That is the only reason I wanted to have it go on.

Hon. Sir MACKENZIE BOWELL—I wish to make another little explanation. I have to report as to what took place at the interview with the Speaker. I intended to present the report when the reports were asked for, but in the absence of one of the members of the committee, the hon. gentleman from De Lorimier (Hon. Mr. Dandurand), who only returned to-day, I desired to delay presenting the report until he had seen it.

Hon. Mr. CLORAN—The committee had a quorum?

Hon. Sir MACKENZIE BOWELL—Yes. I move that the Order of the Day be discharged and that it be placed on the Orders of the Day for to-morrow.

The motion was agreed to, and the Order of the Day was postponed accordingly.

COLONIAL BANK BILL.

SECOND READING.

Hon. Mr. CASGRAIN moved the second reading of Bill (E-2), An Act respecting the Colonial Bank (Canada).

Hon. Mr. LOUGHEED—I should like to take exception to the time mentioned in the Bill, the extension for two years, which is directly contrary to the spirit of the Bank Act and all former legislation.

Hon. Mr. CASGRAIN—If the hon. gentleman will permit the Bill to go to committee, they could amend it there to conform with the usual rules. This company would have been organized sooner, but the stringency of the money market caused delay. All they want is an extension of time. I suppose the usual extension will be granted.

Hon. Sir MACKENZIE BOWELL—Could the hon. gentleman inform the Senate what has been done towards the organization of the company? We are constantly renewing these charters for the establishment of new banks or new corporations, and they keep hanging fire in both Houses year after year, when in too many cases they are nothing more or less than the product of promoters who desire to make money out of banks, insurance companies, and other corporations of that kind. Could the hon. gentleman give us a good reason why this should be delayed other than the fact that they could not raise the money, because that is the trouble with the whole of them.

Hon. Mr. CASGRAIN—The only information I got from the Montreal solicitor, Victor Mitchell, K.C., is that this charter has never been renewed before. It was obtained in 1914, and they were getting organized when the war broke out and they have not been able to raise the money and get the stock properly subscribed. I was informed by Mr. Mitchell that they were prepared to go on with the organization of the company. That is the only information I can give the House, and when the Bill goes before the committee I do not know that the promoters will ask any more than the usual extension of time.

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

BRITISH TRUST COMPANY BILL.

SECOND READING.

Hon. Mr. CASGRAIN moved the second reading of Bill (F-2), An Act respecting the British Trust Company.

Hon. Mr. SPROULE—Explain. It seems to me we have so many of these corporation Bills coming up from year to year that the House would, in my judgment, be entitled to some explanation as to the prospects of a solvent and able company being established. If it is only one of those ephemeral charters obtained from time to time by promoters and held for sale, it is hardly what we might be expected to use our time in promoting.

Hon. Mr. CASGRAIN—I may tell the hon. gentleman that this Bill comes again from the same law firm in Montreal—Casgrain, Mitchell and some others—from the Postmaster General's office, and I did not inquire very much into it; I thought the thing was all right. This British Trust Company Bill is just for an extension of time, the same as the other. I was given

a brief, and I thought I would read it before the committee to-morrow. I did not think that the extension of time would even require the presence of those lawyers here, and I informed the solicitor, who was in town to-day, that it being only an extension of time, there was no occasion for him to stay. I might telegraph him and have him come back in time to tell the committee to-morrow why the Bill is asked for.

Hon. Mr. SPROULE—What is the object of suspending the rule in regard to the Bill?

Hon. Mr. CASGRAIN—It is because both these Bills originated in the Senate, and would have no chance of passing if the rule were not suspended, because notice has to be posted for several days, and the Banking and Commerce Committee are called for to-morrow and it would save time; otherwise these Bills would not have time to reach the Commons and be put through before the close of the session.

Hon. Mr. SPROULE—It would appear to me that the session is not likely to close so rapidly as that. At the rate we put Bills through here it would not take very long to reach the Commons, and the present session is not likely to suddenly collapse before this important Bill would have a chance to get through even the Commons.

Hon. Mr. CASGRAIN—I gave due notice of suspension of rule yesterday, and it has been the custom of this House, when the session is drawing to a close and with a Bill originating in this House, for the rules to be suspended. There is only one meeting a week of the Banking Committee.

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

VANCOUVER HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 59, An Act to Amend the Vancouver Harbour Commissioners Act. He said: The object of this amendment is to strike out from the existing Act a section which incorporates into it a provision in the Canada Shipping Act by which the Harbour Commissioners are practically prohibited from charging any substantial fee as toll, the object being that they should be in a position to impose such tolls as the harbour might need.

Hon. Mr. CASGRAIN.

Hon. Mr. CASGRAIN—Like the harbour of Montreal?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—It would be rather interesting if the hon. gentleman would tell the House in committee how the Harbour Commission of Vancouver are getting along. Have they been doing the business in a satisfactory way to the country?

Hon. Mr. LOUGHEED—I would assume so. I would assume that all the citizens of British Columbia do that.

Hon. Mr. BOSTOCK—There is a great question in Vancouver about the dry dock that is built there. I understand that the company that is interested in it has been making application to the Government under the Dry Dock Act for certain consideration. I would like, for information, to know whether the dry dock has anything to do with this Harbour Commission, or whether it is entirely a separate organization.

Hon. Mr. LOUGHEED—I understand it is entirely separate. If my hon. friend wants any particular information about the dry dock, if he will give me notice I shall be very glad to bring it down. I understand there is no connection between the two.

Hon. Mr. CASGRAIN—It is a floating dry dock.

Hon. Mr. DANDURAND—Could the hon. gentleman tell me in what way this commission have been financing their expenditure on improvements? Since they have not been collecting proper dues, I wonder if they have a debt, and like other commissioners have applied to the Federal Government for help, or how are they meeting their charges?

Hon. Mr. LOUGHEED—I cannot say, except that the Harbour Commissioners, including those in Montreal, have absolute confidence in the Government assisting them from time to time.

Hon. Mr. CASGRAIN—No, excuse me, on behalf of Montreal I may say that the commission has paid the interest on its bonds. The Vancouver Commission could not pay because they could not collect money—which shows the way in which the Bill has been drafted.

Hon. Mr. LOUGHEED—You would be surprised at the resourcefulness of the people of Vancouver, though.

Hon. Mr. BOSTOCK—Would my hon. friend be able to give us some information on the question when we go into committee?

Hon. Mr. LOUGHEED—Yes, I shall be very glad to make inquiries. You might give us some suggestions as to how to get over the hard times.

Hon. Mr. DANDURAND—What I wanted to do was to point out what amount the commission owed or had borrowed from the Federal Government, and if the interest were regularly paid.

Hon. Mr. LOUGHEED—I will make inquiry before we go into committee.

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

BANK ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill No. 33. An Act to amend the Bank Act.

(In the Committee.)

Hon. Mr. LOUGHEED—It was suggested when we were in the committee before, I think by my hon. friend from Portage la Prairie, that we should amend subclause 19 by providing that the notice of sale shall be posted at the nearest post office. I have taken this up with the Finance Department and they are quite agreeable that the Bill should be so amended. Consequently I move that the clause be amended as follows:

By posting a notice in writing or print of the time and place of such sale in or at the post office nearest the place where the sale is to be made.

Hon. Mr. THOMPSON—How long before the sale?

Hon. Mr. LOUGHEED—Not less than five days.

The amendment was adopted.

Hon. Mr. SPROULE (Chairman)—It is proposed further to amend this subclause by the addition of the words:

Appears in a newspaper published in French and English.

I understand that this is only for the province.

The amendment was adopted.

Hon. Mr. SPROULE, from the committee, reported the Bill with some amendments, which were concurred in.

AGRICULTURAL, INDUSTRIAL AND TRADE INTERESTS OF CANADA.

DEBATE RESUMED.

The order of the day being called:

Resuming the further adjourned debate on the motion of the Honourable Mr. Béique, seconded by the Honourable Mr. Edwards:

(1) That a committee composed of nine members of this House be appointed to inquire alone or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war; such committee to be composed of the following members: the Honourable Messieurs Bolduc, Lougheed, Dandurand, Edwards, Bostock, Ross (Moosejaw), Taylor, Ross (Middleton), and the mover, and to report from time to time to this House; and (2) that a message be sent to the House of Commons inviting that House to appoint a like committee to act jointly with the committee appointed by this House.

Hon. Mr. WATSON—I wish to compliment the mover on bringing a motion of this kind before the Senate. I think it is very opportune when not only the members proposed for this committee, but the members of the Senate, and, in fact, every person in Canada, must and ought to be devoting their energies and time and giving their best attention to the matters referred to in this resolution. I am pleased to note that of the three particular subjects referred to here—agricultural, industrial and trade interests—the mover puts agriculture to the front. I do not know whether this is done designedly or not, but I suppose it is, because, although my hon. friend is an eminent lawyer, I know he is interested in agriculture. I know that there is another hon. gentleman here, the hon. gentleman from Middleton (Hon. Mr. Ross), who, I believe, is a model farmer, although a lawyer, and the committee as constituted ought to collect and furnish the Government with considerable information along those lines. I may be pardoned if I make an observation or two as to what line I think the report of that committee should follow. I am inclined to think that this war has brought on a state of affairs in Canada that has started people to think as they never thought before. For the last forty years we have been going along the line that what we wanted to build up in Canada was industrial institutions. To my mind that is going along the wrong track. If there is anything that is going to bring Canada up to the place where she should be it is agriculture; and agriculture is a thing that ought to be pro-

moted first and promoted by all our Governments. I notice that in another place a member of the Government discussing the question of free wheat claimed that we should manufacture all our wheat in Canada, take all the proceeds in Canada and live within ourselves. That cannot be done. If Canada is to progress she must have wider and freer relations with the outside world. It is now about forty years since Canada adopted the protective policy, and during that time the agriculturists of this country have, to my mind, been handicapped; they have not had a fair field or a fair show; and the agricultural interests have been handicapped at the expense of the manufacturers, who have been building up the industries of Canada under a protective tariff. To my mind that should be reversed. I think the first interest should be that of the agriculturists. Most of the small towns and larger cities have offered extra inducements to secure manufacturing industries; they are offered aid in the way of protection by the Government, while municipalities offer exemption from taxation, free sites and so on, which gives them an advantage over the farmer. They are therefore able to pay higher wages while paying less taxes, and the result is that young men are induced to go off the farm to the towns and cities and engage in manufacturing rather than stay on the land. Now, there is no question that the one who produces the most wealth in this country is the farmer. He takes it out of the ground—not necessarily "mining" it out of the ground—and the successful farmer produces more wealth, man for man, than any manufacturing industry we have in Canada. For that reason I am glad to see that the mover of this resolution placed agriculture before industrial and trade interests. I trust this committee will be appointed, and I have no doubt, from its membership, that they will do the work and do it well. As was stated by the leader of the House this afternoon, Governments are only moved by public sentiment. Public sentiment is strong enough to build the Hudson bay road. I hope those gentlemen who are to form the committee will get busy and be strong enough to represent to the Government that certain things should be done, and I trust that when they do make a report they will rather reverse the policy of the past and put agriculture first and industrial interests second.

Hon. Mr. BOSTOCK—The motion that my hon. friend from De Salaberry has placed before the House is, I think, a very important one at the present time. The questions with which this committee will have to deal are very wide, and they affect the whole interests of the country. My hon. friend in moving his motion quoted the Order in Council drawn by the Government in appointing the Economic Commission of which the hon. the leader of the Government in this House is chairman. Any hon. gentleman who has studied that Order in Council will at once realize the wide scope of that commission and the enormous amount of work that they must have before them if they are going to deal with the questions referred to in that Order in Council. The whole scope of that commission is very wide, and I have no doubt my hon. friend the leader of the Government realizes the tremendous amount of work that has been placed on his shoulders and those of the members of the commission. Therefore I think that the motion made by my hon. friend from De Salaberry, that a committee of this House should be appointed to help consider one or two of those questions, is a very wise one, because we cannot pay too much attention to those very important questions that affect the country. It has been said that we ought to bend all our energies to the pushing forward of the war. Of course, everybody agrees with that statement, but at the same time if we were only to devote all our energies to that particular work, and not think about what we are going to do when the war is over, we should find that we were in a very bad and awkward position. We have to consider to-day what is going to happen to this country as soon as this war is over; and although we cannot tell what the position is going to be either in this country or in Europe when the war ends, as no one at the present moment can tell when it is going to finish or what the conditions are going to be when it is finished, at the same time, we can consider the conditions that exist at the present moment. In Canada for a long time we have been doing a great deal to encourage the agricultural industry of the country. Each Government in turn has done its best to develop the agricultural industry and to increase the production from the land as much as possible. First of all, they have established experimental farms, secondly, they have arranged lectures at farmers' meetings all through the country for the purpose of educating the farmer. They have helped the industry by further division of the Department of Agri-

culture into various branches—the dairying industry, the work of inspection of the various parts of the country, then the fruit industry—and the amount of work that has been given to the placing before the farmers the desirability of their using and planting the right kind of seed and watching the germination of the seed—all those questions the Government have dealt with, and they have been doing a great deal to educate the farming community all through the country on these various questions. Then again, in the case of the live stock industry, the work done by the Government has all been for the purpose of educating the farmers to carry on a better system. But, notwithstanding all this, unfortunately the agricultural industry has not shown the same amount of progress that we might have expected in this country at the present time as the result of the attention that has been given to pushing the education of the farmer and the farming industry throughout the country. Going into the question, we find that the increase of crops has not been as satisfactory as it should have been. For instance, considerable dairy business was worked up at one time in this country, and a great deal was exported to other countries. Ten years ago we exported $5,000,000 worth of butter, but since that time this export has steadily decreased until in 1912-13 we imported nearly $2,000,000 more than we exported. The export of cheese has kept fairly steady in value, about $20,000,000 a year, yet in the last few years, though cheese has been much higher in value per pound than formerly, the quantity has actually decreased. I regret very much to say that in a large number of cases in other matters relating to agriculture the same condition can be shown; and if we investigate the question of labour, we find that the amount of labour employed by farmers to-day is not as great as it was some years ago. The reason for that apparently is that the country has progressed and the price of farm labour has increased of late years so that the farmer has found that he has not been able to go in for such intensive farming as he formerly did. The result shows that the farmer of to-day is not employing the same amount of labour per hundred acres as he was some years ago. This, of course, does not help to better production in the agricultural industry, and I think that it is a question that this committee and the commission of which my hon. friend is chairman should very carefully consider. Then again, we come to the question of the market for the farmer. The market to-day is a very important one all through this country. We have the farmers in the Northwest to-day with large quantities of wheat on hand, but on account of the extraordinary conditions in transportation they are unable to get their grain to market, and also they are not able, on account of the conditions under which they are placed, to borrow money on that grain. This ties up the whole situation from the agricultural point of view, and in the same way in British Columbia the question of market is one that is very seriously exercising the minds of the fruit grower and the farmer generally. Had it not been for the fact that the United States Government some two or three years ago took the duty off live stock, it would have been a serious matter for the farmers throughout the Northwest. Hon. gentlemen who come from that part of the country know that it made a very great difference to the farmers throughout the Northwest when they were able to market their live stock south of the line. They sold their sheep and their pigs in places like Chicago and Seattle and other points in practically an open market in competition with the farmers of the United States. Now, this question of markets is one that is very seriously affecting the farmer, and one that ought to be considered carefully by a committee of this kind. Then, another trouble is also affecting the farmer at the present time, and that is the position in many places with regard to banking facilities. The other day we put an Act through this House which to a certain extent may be of assistance to the farmer who is raising live stock, but the whole banking question as it deals with the farming community is a very much wider one than that. We are placed in a position that the farmer, and in this connection it applies not only to the farmer but also to all others who are trying to develop the industries and the resources of this country, that we have for a great many years depended for developing our resources on money that we could obtain from Europe. Now, owing to existing conditions, all this financial assistance is practically cut off, and the only place to which we can look for money is the United States. We should therefore, if it is possible, consider whether it is not feasible in some way to increase the credit facilities, not only for the farmer but

also for the lumberman and others who are trying to develop the natural resources of this country. The other day I was rather interested in finding that this question is also exercising to some extent the minds of the people in England, who have come to realise that the banks in England are run on conservative lines and that they do not give the people an opportunity of developing business in the way that it has been done by the German banks, which they find have helped very largely to develop German trade, under which, of course, they have come to be very much our competitors.

I read an interesting article on the question of banking, which I desire to quote to a small extent. In this article, which was written by Mr. Wm. Olsson on the promotion of national industry after the war, he points out that the British banks adhere to legitimate banking, and that the German banks are not banks in the British sense, but great industry promoting institutions, and he further goes on to say:

> I am aware that it will be said that no safe and sound business proposal need want for capital in this country, and this is on the whole, true, but, from the national point of view this is far from efficient.
>
> It excludes from banking facilities elements which are the very life blood of progressive national industry, viz., the testing of new ideas and inventions.

And we might add in this country the developing and opening up of new portions of the country in which there is to some extent a certain element of speculation. Then he goes on to say:

> For obvious banking reasons an application to a British bank for assistance in starting a business based on new ideas is met with the stereotyped reply, "That is not a banker's business."
>
> Whereas the same application to a German bank will be referred to its industrial department, and if found good, supported.

That is an important point. It shows the assistance that is given under the German system to the development of industry is a good deal greater than can be given by banks which are organized under the British or our Canadian system. The same condition of things which has been going on in England has gone on in Canada for some years with the banks; they have gone in for amalgamating, and a very large number of the smaller banks have been swallowed up in the larger organizations. This system has certain advantages, but it also has disadvantages in this way, that the larger corportions, whose directors and those immediately responsible for the policy of the bank, cannot possibly be in such close touch with the different portions of the country, and they are apt not to consider the building up of any particular part of the country in the same way that would be done by a smaller bank whose interests were in that part of the country. This question is therefore one that is going to interest not only this country but also Great Britain and the whole of the British Empire as soon as this war is over, and I have brought it to the attention of the House in this way, and think it is one that this committee should consider and look into. I should like to quote also the resolution that was passed at the meeting of the Associated Chambers of Commerce of the United Kingdom, held on the 29th February, 1916. This particular meeting of the Association of the Chamber of Commerce was called in England the other day, and a large number of resolutions were sent in from all over the country to the secretary, and certain resolutions were selected from those as the most accurate and the best resolutions representing the ideas of the different chambers associated together for this purpose. The resolution that was chosen to deal with this banking question reads as follows:

> Thas His Majesty's Government be asked to take into consideration the present banking system in this country (Great Britain) with a view of ascertaining whether any steps can be taken to further facilitate and encourage industrial enterprise.
>
> Several supplementary resolutions in this division refer to the assistance rendered to German commerce by credit banks and similar institutions, and deprecate facilities being in the future given to enemy banks to operate in the United Kingdom.

I quote that resolution as showing the feeling of the people in England at the present time on this whole question. They have come to realize that although their banking system, as a banking system, is a very good one, at the same time it is not supplying the necessary credit for the development of the trade and industries of the country. I move that the debate be adjourned until to-morrow, and that it be made the first order of the day.

The motion was agreed to.

BILL INTRODUCED.

Bill (No. 31), An Act to incorporate the Eastern Canadian Union Conference Corporation of Seventh Day Adventists.—Hon. Mr. Beique.

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

THE SENATE.

Thursday, March 30, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (E-2), An Act respecting Colonial Bank of Canada.—Hon. Mr. Casgrain.

Bill (F-2), An Act respecting British Trust Company.—Hon. Mr. Casgrain.

THE SPEAKER'S UTTERANCES.

REPORT OF COMMITTEE PRESENTED.

Hon. Sir MACKENZIE BOWELL, from the committee appointed to interview the Speaker with reference to certain utterances reported to have been made by him at a meeting in the city of Ottawa last June, presented their report as follows:

The committee appointed by the Senate on the twenty-third of March instant, consisting of the Hon. Messrs. Bowell, Bolduc, Power and Dandurand, to wait upon His Honour the Speaker, for the purpose of ascertaining to what extent the report of a speech made by him on the twenty-seventh day of June, in the city of Ottawa, in which he is represented as casting reflections upon the members of the Senate by styling them "fanatics" was correct.

The members of the said committee, with the exception of Hon. Mr. Dandurand, who was absent from the city at the time, waited upon the Speaker and submitted to him the following question:

"Does the paragraph of the report of His Honour's speech headed 'Strike in the Senate,' which will be found on page 185 of the Senate Hansard for the current session, contain a substantially correct statement of language used by His Honour? If not, in what particular is it incorrect?"

To which His Honour replied as follows:

"I have nothing to add to my first declaration which has been given precisely to deny the language which the reporter has placed in my mouth regarding the accusation of fanaticism which I never formulated against any majority of this House, and I regret that I have been so misreported."

All of which is respectfully submitted.

I would suggest that the report be considered when the Order of the Day appearing in the name of the hon. senator from Compton is reached. It will then be for the hon. gentleman from Compton, to say whether that answer is satisfactory and whether he will then drop his motion. I am inclined to think that that will be the end of it.

MAINTENANCE OF FERRY BETWEEN RIVIERE OUELLE WHARF AND ST. IRÉNEE AND MURRAY BAY.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

1. What was the cost, from the 1st July, 1913, to the 1st March, instant, of the maintenance of a ferry between the Rivière Ouelle wharf and St. Irenée and Murray Bay?
2. Have there been many complaints respecting the efficiency of this service?
3. For how many days, each winter, has the service been completely interrupted since the 1st December, 1913?

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

1. $143,836.08.

2. Several complaints have been received this winter.

3. December 24, 1913, the Champlain did not cross owing to N.E. gale and snow storm. She was withdrawn from the service December 27, and came up to Quebec where she remained until March 19. She resumed her regular service March 20, 1914. Her withdrawal was due to the filling in of the "L" on west side of wharf, to enlarge same, this being the sheltered side and her berth, and the work not being completed, she could not remain there. In 1914, she missed two regular trips in December. In 1915, she missed eight regular trips in January, 12 regular trips in February and 8 regular trips in March, 1916, she missed 12 regular trips in January, 18 regular trips in February and 17 regular trips up to March 22, inclusive.

Hon. Mr. POWER—A regular misser was she not?

ESCAPE OF ALIEN PRISONERS FROM DETENTION CAMP, AMHERST.

INQUIRY.

Hon. Mr. GIRROIR rose to

Call the attention of the Senate to an Order issued on the 2nd day of March, instant, calling for the production of papers in connection with the escape of alien enemy prisoners from the detention camp at Amherst, Nova Scotia, and for the production of papers and documents

and correspondence produced at a Military Court-Martial held in Halifax, N.S., in connection with said escape.

And will inquire of the Government whether any criminal proceedings were taken or are contemplated against the officers in charge of said camp?

He said: The matter referred to in the inquiry was first brought before the House on the 14th day of this month, by the hon. member for Victoria division (Hon. Mr. Cloran), who made very serious charges against the officer in charge of the detention camp at Amherst, N.S. I was naturally shocked at the time to think that any person holding the position that that officer occupied should have been so remiss in his duty as the hon. gentleman from Victoria division alleged. I made it my business to make some inquiry into the matter and, in order to present to the House some facts which I think should be presented in order to clear his character and re-establish his reputation if it has been taken away from him (which I very much doubt) by the remarks of the hon. gentleman, I have seen fit to address this Chamber very briefly on this matter. The hon. gentleman from Victoria division in his speech, to which I have already referred, used these words:

It is a well known fact, not to the general public of the Dominion but to the people living in the neighbourhood of the Amherst detention camp that Germans have escaped, and what is more lamentable, were allowed and encouraged to escape, by the commanding officer in control of that camp. That is a very grave and serious condition of things, which I with six or seven senators in this honourable House, endeavoured to confront.

The hon. gentleman did not see fit to name the senators who were associated with him in his very grave and laudable purpose, and on account of that fact they will not be entitled, and are not to be given the credit which accrues to the hon. gentleman for the speech which he made on that occasion. Further on he used these words:

The statement has been broadly made, not by a newsboy in the street singing out his papers, but by hon. senators on the floor of this House, by ministers and ex-ministers of the Crown, that the officer responsible for this condition of things in the Amherst detention camp was shot by order of a court-martial held in Halifax.

That surely must have been known to the people of Nova Scotia and to the neighbouring people of New Brunswick. Further on in his speech the hon. gentleman said:

Of course I am not responsible for your understanding—

Hon. Mr. GIRROIR.

speaking of Senator Dennis who had asked a question which the hon. gentleman declined to answer. The hon. gentleman then proceeded:

The other statement is this, that instead of being shot the commanding officer of that camp was sentenced to 12 years in the penitentiary.

So you see, hon. gentlemen, that the hon. member for Victoria after having this poor officer shot, then sentenced him to 12 years in the penitentiary.

Hon. Mr. WATSON—After he was shot.

Hon. Mr. GIRROIR—Further on he says:

Prisoners of war, our bitter enemies, are not only allowed to escape, but can pay $50 or $100 for being allowed to escape from the detention camps in Canada. It is a national disgrace for which the Government must be held responsible.

So you see that the charges made against this officer were of a very serious nature. On another occasion, later on, the hon. gentleman spoke again upon this same question, and said he was sorry that he had been misunderstood in connection with the charges he had made against Col. Morris. He said:

Col. Morris, one of the Empire's soldiers, a man with a reputation as an honest, honourable, upright citizen, and with a record as a soldier that does him credit and his country credit both abroad and at home. I never named any officer particularly as responsible for this condition of things in that detention camp, but the Government's friends in Amherst put him up as a man of straw to say that there was nothing against Col. Morris. I never said there was. I did not know Col. Morris, and have no intention of naming him, not knowing him.

Evidently the hon. gentleman had made some inquiry into this matter, and found that his statements, which were founded upon newspaper reports and anonymous letters, were not justified, and he deemed it his duty to say something to offset the injury which he had done to the good name of this officer. I give him credit for his apology upon that occasion, and for his repentance as an hon. gentleman suggested, but after all it may be that while the charges which were made by the hon. member against this officer have been published throughout the country, possibly the act of repentance of the hon. member, on the occasion to which I refer, has never been mentioned in the press, and this officer may be still lying under the charges that were made against him on that occasion. Speaking for myself, I think it would have been far better had the hon. gentleman waited

until the papers in connection with this matter were brought down, I say it would have been better, wiser and more generous for him to have waited before making charges of this kind about a man like Col. Morris, than whom I believe there is no more honourable, no braver or truer officer in the whole British service. Now I might say that Col. Morris has a very distinguished record in the service, as the following statement will show:

Record of Service.

Colonel Arthur Henry Morris, C.M.G., D.S.O., joined 18th, The Royal Irish Regiment, 27th January, 1883.

Served in the Nile Expedition, 1884-85, medal with clasp and Khedive's Bronze Star.

Burmese War, 1885-87, Medal with Clasp.

Karen Expedition, 1888. Clasp, mentioned in despatches. (London Gazette, 15th November, 1888.)

Chin Lushai Expedition, 1889-1890. Clasp. Mentioned in despatches. (London Gazette 12th September, 1890.) Thanked by Government of India. Made a Companion of the Distinguished Service Order for distinguished service in the field in 1890.

Commanded two Expeditions against the Fra-Fras and Dagombas, tribes in the Northern Territories of the Gold Coast, in February and March, 1900. Twice mentioned in despatches. (London Gazette, 4th December, 1900.)

Ashantee Expedition, 1900. Commanded relieving force from the North. Was in command of the Garrison of Kumasi during the Siege, also of the column which cut its way through the Ashantees down to the Coast with Sir Frederick Hodgson. Severely wounded. Medal with clasp. Mentioned in despatches. (London Gazette, 4th December,1900.) Promoted Brevet Lieutenant Colonel.

Commanded Expedition against the Tiansis in March, 1902. Mentioned in despatches (London Gazette, 24th April, 1903.) Promoted Brevet Colonel in 1903.

Staff Service.

Served as Special Service Officer in Burma from July, 1886 to April, 1890.

Served as Adjutant of the 18th Regimental District from 30th October, 1892—29th October, 1898.

Was Chief Commissioner and Commandant of the Northern Territories of the Gold Coast (a district of 40,000 square miles) from June, 1899 to December, 1904. Made a Companion of the Most Honourable Order of St. Michael and St. George in 1904.

Was Commandant of a Mounted Infantry School in India from June, 1906 to January, 1909.

Was commandant of the Duke of York's Royal Military School, July, 1909 to July, 1913.

Retired in July 1913.

This, then is the record of that officer. He is a man who holds the confidence of his superior officers. Gen. Otter in a letter speaks of Col. Morris in these words:

I might further add that in the conduct of his present responsibility he has proven himself so competent and reliable as not to leave a doubt in my mind as to his competency for the duties devolving upon him.

We are fortunate in having before us a report of the inquiry which was held at Amherst, which I should like to read.

Hon. Mr. CLORAN—I am using it now.

Hon. Mr. LOUGHEED—It makes no difference; the hon. gentleman who is speaking is entitled to it and the report should be on the table of the House.

Hon. Mr. CLORAN—All right; it will take him some time to read it.

Hon. Mr. GIRROIR—Although I have not had time to peruse the report, I have made some inquiry as to its contents, and am informed that all the officers who had charge of the camp on that day were exonerated by the court-martial which was held in Amherst. The facts brought out there show that the prisoners had escaped by means of a tunnel.

Hon. Mr. CLORAN—Where did they get the picks and shovels to dig the hole?

Hon. Mr. GIRROIR—The court was presided over on that occasion by Col. A. H. Borden, Capt. J. L. Ralston and Capt. G. G. Anglin. Of these men I know Capt. Ralston very well; he is one of the leading barristers of the province of Nova Scotia and a member of the provincial legislature. Col. Borden is a young man of splendid reputation who is at this time raising a Highland regiment in the province of Nova Scotia to go to the front. I have not the good fortune of knowing Capt. Anglin but I know that the other two officers would not have associated with them any man who was unworthy to preside over a board of inquiry such as this. What happened upon that occasion was that 12 prisoners escaped. Within 30 hours of their escape all of them were recaptured. This is true.

Hon. Mr. McSWEENEY—True! I guess you are wrong. Five escaped.

Hon. Mr. GIRROIR—Yes, but they were captured in American territory within 30 hours of their escape. Eleven of these prisoners were actually captured, which goes to show that the officers in charge of the detention camp were alert and made a vigorous pursuit of their prisoners, and discharged their duty as well as any officers could be expected to discharge it.

Hon. Mr. CLORAN—Will the hon. gentleman tell me how long, how wide, and how high the tunnel was?

Hon. Mr. GIRROIR—I am afraid the hon. gentleman will have to go down and measure it.

Hon. Mr. CLORAN—Well, that is supposed to be stated in the report. I want to know.

Hon. Mr. GIRROIR—I have not read the report. Now, if the hon. gentleman will possess his soul in patience for a few minutes, I shall read the opinion of the court as it is most pertinent to this inquiry. The length of the tunnel is given here.

Proceedings of Court of Inquiry—Escape of Prisoners of War, Amherst.
Finding.

The court having heard the evidence and having examined the locus is of the mind that twelve prisoners escaped between 6.30 p.m. on the 17th inst., and one on the 18th inst., and that some of the escaped prisoners left on the Maritime Express from Amherst at about 8 p.m. and the remainder by the St. John Express at about 1.30 p.m.

The prisoners made their escape through a tunnel which they dug by breaking off the lock from the sand room door and replacing it with one which they purchased, thus being able to enter the sand room at any time during the day, when on being locked in by their confederates they worked without being disturbed. At night they entered the trap door in the prisoners' lavatory, marked A on the attached plan, and after having worked at the wall between the lavatory and sand room from both sides, made a passageway and were thus able to work at the tunnel both day and night.

The tunnel extended about fifteen yards, coming to the surface just in the rear of the coal shed at a point which the sentries in the vicinity, on a snowy night such as the one of the escape, could not see.

The court is of opinion—

1. That there is no evidence to show that any officer, N.C.O. or man was corrupted or bribed to assist the prisoners in escaping.

2. The constant changing of officers, N.C.O.'s and men of the Internment Camp Staff and the difficulty of adapting the present building with its outbuildings for the purpose of a prison, have been contributory factors in the prisoners' escape.

3. The time between 5 p.m. and 8 a.m. is too long without a roll call.

4. That the hole under the trap door in the lavatory should have been regularly inspected.

5. That the sand room and other unoccupied rooms within the camp should have been inspected periodically.

6. That the police supervision at night was not sufficient. It should not have been discontinued between 11 p.m. and reveille.

7. That there has not been sufficiently careful supervision of the purchasing of articles by prisoners outside the canteen sales. Prisoners have been obtaining articles without the careful supervision of an officer.

8. That there appears to be no proper method of issuing keys and taking receipts for them by the Provost Sergeants or Corporals on being appointed to or relieved of their positions. Under the present system if a key is lost or even given to a prisoner, it would appear to the court to be impossible to definitely fix responsibility for its custody.

9. The instructions to the police escort taking the prisoners to the dentist are too indefinite. They should be in writing.

Signed at Amherst, N.S., this 24th day of January, 1916.

(Signed) A. H. Borden, President,
Lt.-Col., 85th Bn., C.E.F.

Members: J. L. Ralston,
Capt. 85th Bn., C.E.F.
G. G. Anglin,
Capt. 64th Bn., C.E.F.

That is the report.

Hon. Mr. CLORAN—What does the hon. gentleman think of the findings and conclusions of the court?

Hon. Mr. GIRROIR—I have no opinion to offer as to the conclusions or finding of the court, for the very good reason that I have not had an opportunity of going over the evidence on which these findings are based.

Hon. Mr. McSWEENEY—Was it ascertained at what time in the morning the prisoners escaped?

Hon. Mr. GIRROIR—I do not know. I think about eight o'clock in the morning.

Hon. Mr. McSWEENEY—And I think the first bunch got away at six-thirty the night before.

Hon. Mr. GIRROIR—Yes. I have, however, some remarks to offer upon the statement and charges which the hon. senator made in this House. The court of inquiry made its report after careful investigation, after an examination of the witnesses and sifting the evidence, and their conclusion was that there had been some irregularities —that some things were not done which should have been done, that some things were neglected that should have been attended to, but they did not find that any officer in charge of that camp, or occupying a position in connection with the detention camp, had accepted bribes—

Hon. Mr. CLORAN—There is no question of bribes in the charge.

Hon. Mr. GIRROIR—Yes.

Hon. Mr. CLORAN—No. That was in regard to the Banff camp.

Hon. Mr. GIRROIR—The hon. gentleman charged distinctly that bribes were being given.

Hon. Mr. CLORAN—Read it.

Hon. Mr. GIRROIR—The hon. gentleman said:

> Prisoners of war, our bitter enemies, are not only allowed to escape, but can pay $50 to $100 for being allowed to escape from the detention camps in Canada. It is a national disgrace for which the Government must be held responsible.

Hon. Mr. CLORAN—That is not the Amherst camp. I rise to a point of order. I want the hon. gentleman to withdraw what he is saying. My point of order is that the hon. senator is misrepresenting what I stated on the floor of this House.

Hon. Mr. POIRIER—There is no point of order.

The SPEAKER—I understand the hon. gentleman is reading a speech made by the hon. member from Victoria division.

Hon. Mr. CLORAN—Not in regard to the Amherst camp, and he is making the House believe it is the Amherst camp.

The SPEAKER—I do not know about that, but I hear the hon. member for Antigonish quoting the words of the hon. gentleman from Victoria. I do not see any point of order.

Hon. Mr. CLORAN—The hon. gentleman has no right to attribute to me—

Hon. Sir MACKENZIE BOWELL—Order, order.

Hon. Mr. CLORAN—I am in order. You keep quiet. The hon. gentleman has no right to attribute to me, in a criticism of the Amherst camp, charges that I have made against the Banff camp. That is the point of order, and the Speaker should not allow such misrepresentations to take place.

Hon. Mr. GIRROIR—I should be very sorry to misquote the hon. gentleman from Victoria division, but for his enlightenment and for the enlightenment of the House, I may quote a little more from the speech the hon. gentleman delivered on that occasion. He says—just before he came to the point I referred to a moment ago—

> In the second place, a more material and more serious matter was brought up by myself on the floor at the same time that I gave this notice, in the form of a question in regard to the escape of prisoners of war from the detention camp at Amherst, N.S. I find that that question does not appear in the Minutes of Proceedings of this honourable House. It is very strange that it has been omitted, but it is a lapse that can be remedied. I shall certainly take the opportunity of having that question placed on the Order Paper.

Then he proceeds to show how he got this information, and refers to New Brunswick and Halifax; then, being questioned by the hon. gentleman for Tignish (Hon. Mr. Murphy), he makes no reference to detention camps in any other place that I can find. The hon. gentleman from Halifax said: "Not in Nova Scotia." Then the hon. gentleman said:

> Hon. Mr. Cloran—Yes, Amherst camp is in Nova Scotia. The traitors do not work right on the spot. They went outside for assistance, and I am sorry to say they got it in New Brunswick.
>
> An hon. Gentleman—Moncton?
>
> Hon. Mr. Cloran—No, Moncton has blowouts. The country wants to know the facts from official sources, and it is up to the Government of the day to protect the public without regard to party. The statement has been broadly made, not by a newsboy in the street singing out his papers, but by hon. senators on the floor of this House, by ministers and exministers of the Crown, that the officer responsible for this condition of things in the Amherst detention camp was shot by order of a court-martial held in Halifax.
>
> Hon. Mr. Dennis—Who made that statement?
>
> Hon. Mr. Cloran—Please do not pry into private affairs.
>
> Hon. Mr. Dennis—But the hon. gentleman says that that statement was made by a minister of the Crown on the floor of the House.
>
> Hon. Mr. Cloran—I did not say anything of the kind.
>
> Hon. Mr. Dennis—That is what I understood you to say.
>
> Hon. Mr. Cloran—Of course, I am not responsible for your understanding. The other statement is this, that instead of being shot the commanding officer of that camp was sentenced to 12 years in the penitentiary.

Then he goes on discussing the detention camp:

> Prisoners of war, our bitter enemies, are not only allowed to escape, but can pay $50 or $100 for being allowed to escape from the detention camps in Canada. It is a national disgrace for which the Government must be held responsible.

The hon. gentleman cannot escape. He has made this statement publicly on the floor of this House. It all appears in the Debates in his speech, and it is clear from a perusal of the speech that he referred to the Amherst camp, and that camp only.

Hon. Mr. CLORAN—No.

Hon. Mr. GIRROIR—He made no reference to any other camp, and he led up to that statement by discussing the affairs at

Amherst and nothing else. I may say that I am not at all surprised to find that the hon. gentleman feels hurt when this is read out again and when he realizes the seriousness of his statements, and how unfounded and unjust they were to an officer with a distinguished career, to a man who has served his country well, to a man who had gone through a campaign and spilled his blood for the Empire, and was willing to do it again. I am not at all surprised that the hon. gentleman feels the pinch, feels hurt and sore when he finds that he so far forgot himself on that occasion as to make the statement which I have quoted. I say the evidence submitted to the House will not justify any such charges being made against this officer. While it may justify the findings—and I have no doubt that it may—it does not in any sense justify the charges which the hon. gentleman from Victoria made upon the occasion referred to. I am too young a member of this House to attempt to lecture older senators as to what they should do or say upon occasions of this kind. I cannot, however help saying that it would be more in keeping with the dignity of this House and with the position the hon. gentleman occupies in this Chamber, to have been more careful and discreet in the statements which he made upon that occasion. I say he has done a great injustice, and a great wrong to an officer in His Majesty's service; to an honourable man, to a faithful officer, and I think it is up to him to rise in his place and make ample apology to that officer for the charges which he made against him and which he cannot substantiate.

Hon. Mr. CLORAN—I must congratulate the hon. gentleman from Antigonish for his able plea on behalf of Col. Morris. It is easy to defend a man who is not attacked. Where did he get the ground for his able defence of a man who was not even mentioned in my exposition—I will not call it a charge, because I made no charge. I made inquiries. Col. Morris was never mentioned by me. I did not know him any more than the man in the moon, and the man in the moon has been present at many battles and seen much bloodshed, as has Col. Morris. If the hon. gentleman wanted to be fair to an opponent, he would have read the question which I put to the Government. Was there any mention of Col. Morris in that question? Did I not ask in general terms who were the military officers responsible for this condition of things in the Amherst camp? Not a word was said about Col. Morris, not a word about Capt. Booth or Col. Sproule, or whatever his rank may be. I was looking for information and inquiring regarding things of public notoriety in the provinces of Nova Scotia and New Brunswick. I was not making any charges; I was simply asking for information which has been in the hands of the Government for the past two or three months, and which they only bring down to-day, some 25 or 30 pages of closely typewritten evidence and findings. I do not know whether the evidence asked for is produced. I do not know whether the hon. gentleman from Antigonish is a lawyer, doctor or what?

Hon. Mr. POIRIER—A farmer.

Hon. Mr. CLORAN—Now I understand. He is a farmer and got on to a straw to build up his eloquent speech and that straw is this: it is true that during my remarks in making this demand on the Government I did use the words "commanding officer," not knowing who the commanding officer was. My intention was not to say the commanding or head officer, but the commanding officer of the camp. Those are two different things altogether. The officer commanding is the head of all that district and all that region, and the hon. gentleman hangs his attack on me on that straw. I believe he is both a lawyer and farmer combined.

Hon. Mr. WATSON—Not much of a lawyer.

Hon. Mr. CLORAN—No. He hangs his whole speech on that one expression "Commanding officer of the camp." Remember, I did not say officer commanding, lieut.-colonel or major-general, or anything of the kind. I said the commanding officer, and I should have said commanding officers, because there was not only one involved in this military scandal which exists from the highest down to the lowest depths of the public life of this country, from the ministerial ranks right down to the detention camps of Canada. Where they cannot steal money from the public treasury they allow prisoners to escape. I have not read the evidence, but the hon. gentleman has read the findings, and the court-martial in five or six of these findings declares there was culpable negligence in regard to the management and supervision of the camp.

Hon. Mr. GIRROIR—But no crime.

Hon. Mr. CLORAN—Wait a second. What does that mean, culpable negligence, but no crime? Was it the farmer or lawyer who spoke that time?

Hon. Mr. GIRROIR—The hon. gentleman charged a crime. Now he says there was negligence.

Hon. Mr. TESSIER—Culpable negligence is a crime.

Hon. Mr. CLORAN—I want to know what a crime is?

Hon. Sir MACKENZIE BOWELL—Look at the dictionary.

Hon. Mr. TESSIER—In a case of manslaughter, a man is found guilty of culpable negligence.

Hon. Mr. CLORAN—Here the officers in that camp are found guilty of culpable negligence.

Hon. Mr. GIRROIR—Where do you find that.

Hon. Mr. CLORAN—You read the evidence where it was stated they were allowed to buy stuff outside of the camp and bring it in without inspection.

Hon. Mr. POIRIER—I think the hon. gentleman from Victoria is a farmer just now.

Hon. Mr. CLORAN—I would rather be a farmer than a lawyer splitting hairs.

Hon. Mr. GIRROIR—I am afraid the hon. gentleman is giving us the chaff.

Hon. Mr. CLORAN—You will get enough to smother you. I have this retort to make to the hon. gentleman from Antigonish. He has done well by his friend Col. Morris, and he has given the Dominion of Canada that officer's entire record. We are all proud of it, but I want to tell him here that he had no ground and no justification to charge me with having vilified and denounced a man of that calibre.

Hon. Mr. GIRROIR—The record is against you.

Hon. Mr. CLORAN—The record is not against me.

Hon. Mr. GIRROIR—Absolutely.

Hon. Mr. CLORAN—It is against the hon. gentleman from Antigonish. When I rose to a point of order that the hon. gentleman from Antigonish was misrepresenting me I was right, and I have the document in my hand—

Hon. Mr. GIRROIR—I never misrepresented you—

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—Let him interrupt. I like a joke once in a while. I never charged Colonel Morris with any dereliction of duty and you cannot find one word in any of my remarks made on several occasions to justify any such accusations against me. Why did the civil magistrate decline to proceed with the case? The offence was so grave and serious that he had it referred to a court-martial at Halifax. There must have been some ground for suspicion, there must have been some ground for attack against the management and supervision of that detention camp, and who are to be held responsible?

Hon. Mr. GIRROIR—The hon. gentleman stated on more than one occasion that this man was brought before a magistrate in the city of Halifax. I have been trying to find out whether that was correct or not. Is that correct? Was that matter tried before the magistrate?

Hon. Mr. CLORAN—I am looking for light and cannot give you any. I am asking the Government what was done in the civil courts in regard to that matter.

Hon. Mr. GIRROIR—Does the hon. gentleman know whether the case was before a civil court.

Hon. Mr. CLORAN—Just the same way as I know that there was a court-martial at Halifax. Just the same way as I found out the court-martial had condemned the officer guilty of this negligence to death. It leaks out that he was not condemned to death, it was only a 12 years sentence in the penitentiary. I have that by hearsay, and I have asked the Government to verify or contradict it. Then I was informed that one of these condemned officers came to Ottawa looking for a promotion in the department. The leader of the Government placed on the table the answer to the inquiries I made in regard to this Amherst camp. I think there are some 20 or 25 pages of closely typewritten evidence. I have had no time to read and digest it. Before concluding my remarks, I wish to tell the hon. senator from Antigonish that

I did not make a charge but simply asked if it was true that officers in detention camps in Canada received money from alien prisoners of war to make good their escape or regain their liberty. I asked for that information and have not got it yet. I never asked the Government if the officers in command of the camp at Amherst received money. I had no information to that effect. If I had I should have included it in my inquiry of the Government, but I did put a straight question. I asked if the Government was aware that in the detention camps, especially at Banff, money was paid to a lawyer, the sum of $50 and upward, to secure the liberty of alien prisoners. I have had no answer to that question, and when the hon. senator from Antigonish tries to connect that accusation or charge, if he wants to call it that, with the affair at Amherst, he is not doing right by justice and truth. He is misleading this honourable House and endeavouring to mislead the country.

Hon. Mr. GIRROIR—What camp was the hon. gentleman referring to?

Hon. Mr. CLORAN—You will find that in the question which I put on the Order Paper regarding the detention camps in Alberta, and especially the camp at Banff.

Hon. Mr. GIRROIR—Was the hon. gentleman referring to those?

Hon. Mr. CLORAN—What else was I referring to? I charge that the hon. gentleman from Antigonish with deliberately and wilfully misrepresenting the position I took in these matters.

Hon. Mr. GIRROIR—I rise to a point of order.

Hon. SPEAKER—The hon. gentleman has no right to use such expressions.

Hon. Mr. CLORAN—What expressions shall I use?

The SPEAKER—The hon. gentleman may use polite expressions.

Hon. Mr. CLORAN—What will I call misrepresentation? Putting the facts upside down? Misrepresentation is a first-class word.

The SPEAKER—I have given my decision and do not want the hon. gentleman to discuss the point.

Hon. Mr. CLORAN—The word "misrepresent" is unparliamentary; therefore, I say the hon. gentleman from Antigonish put the facts upside down, and did not put them straight, as he ought to have done in making this charge against me in a public matter in which I have absolutely no interest, but in which the people of Canada have all interest.

Hon. Mr. GIRROIR—I have quoted the hon. gentleman's words, and they are against his contention.

Hon. Mr. CLORAN—I know you have quoted my words, and quoted them upside down from one page to the other, and if you were able to read—and the hon. senator ought to be able to read—

Hon. Mr. GIRROIR—I am able to read, and I quoted your words from your speech, and they condemn you.

Hon. Mr. CLORAN—I do not wish to conclude the debate, for other gentlemen have a right to speak, but I want to read over very carefully this large volume of evidence and findings of the court-martial, I therefore beg to move the adjournment of the debate.

The SPEAKER—If the hon. gentleman wants to move the adjournment of the debate he is acting within his right.

Hon. Mr. BOYER—Before the adjournment of the debate is carried I suppose I can speak on it?

Hon. Mr. CLORAN—Yes.

Hon. Mr. BOYER—I have just glanced over that report, and find that the fact remains that twelve German prisoners escaped from the detention camp at Amherst. If any French, English, or Canadian prisoners had escaped from a German detention camp in Germany what would have happened to the German officers in charge of the camp?

Hon. Mr. CLORAN—They would have been shot.

Hon. Mr. BOYER—We have some friends who have been prisoners in Germany ever since the war began, and how many of them have escaped? How many of them have we been able to negotiate to exchange for men of equal value? Not one. Let me tell you how the French prisoners are treated in a German detention camp. A Mr. Therrien, who was a medical student, volunteered the very day war broke out to serve in a hospital in France. He was some seventeen or eighteen years of age, and was

put in charge of a certain department of a hospital on the border of Germany. The war began; things got very pressing, and one day the doctor in charge of the hospital summoned every one of the staff and told them, "Gentlemen, we have to leave the hospital; unfortunately we cannot remove our prisoners; I have drawn lots and 12 of you have to remain." He read the names of the 12 French doctors or medical students who had to remain in charge of the hospitals, and the other ones went. The Germans walked in; they took charge of the 12 French gentlemen who were in charge of the hospital, stripped them naked, searched every article they had, and confiscated every penny of money they had in their possession. They were handed their clothes minus the pockets, which were cut out, so that nothing could be concealed in them. The German medical staff walked up and asked the French doctors what they had been doing. They replied: "We have been treating the Germans and the French indiscriminately. We have taken charge of both camps; we have done the best we could." They said: "All right; you shall be allowed to continue under certain conditions, but in the meantime instructions have been given that all weapons must be given up." All weapons were given up; all cartridges were supposed to be confiscated; but unfortunately some poor sick or wounded soldier had in his pocket a couple of cartridges which nobody ever dreamed of touching because they were afraid of hurting the man, who had been severely wounded. During the night this prisoner took out of his pocket one cartridge and dumped it into the slop pail, which was emptied in the yard the next morning, and in emptying it the cartridge exploded. The 12 French doctors were marched out and told that they were going to be shot. They were all young men, the eldest being only 22 years of age. They were put up against a wall and a picket of German soldiers walked in. The doctors asked permission to write a last word to their families, but it was not granted. Six of them were put against the wall and shot, and the other six were marched to a town on the confines of Russia in 54 deg. north latitude. Mind you, they had been taken prisoners in the month of August. They were put in a cattle car and packed so solid that for three days they were without a drink of water, and not one of them could sleep or lie down because he would have been crushed to death. When they landed in a German town the whole population was out in the street to receive them with spits and blows. They were marched into a dirty cavalry barrack, and again stripped of their clothing in case they might have any valuables or weapons. They were made to sleep on a stone-paved stable floor covered with half an inch of straw; they were fed in the morning at 5 o'clock with a cup of coffee, which coffee was composed of willow leaves roasted. Twice a week they got a little chunk of meat exactly the same size and the same thickness as a trade dollar or a 5-franc piece. Three times a day they got for their rations a sort of a glue made out of a very thick flour, so unpalatable that it used to choke them, and whenever they were seen choking they were given a drink of ice so as to hasten death. Now, compare this treatment with the treatment that those Germans that are interned here in Canada have received.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BOYER—This young doctor or medical student relates the following facts: There were two officers commanding the camp. One was a colonel, the biggest brute that ever lived, who thought that everything that smelt French was worth killing. The next man in charge was Baron de P.— that was the only name I can give because I never get his full name. He was apparently a gentleman and a highly educated man. This Baron de P.— was in charge one week and the colonel was in charge the other week. When Baron de P. was in charge one day he sent for this medical student and said, "Are you any relation to Mr. So-and-so in Paris?" He replied, "Yes, sir, I am a cousin of his." "Ah," says Baron de P.— "I have lived in Paris for 9 years; I was received in your relative's house as a child; he was my best friend; I have often enjoyed meals in his house; I was treated as a member of his family; and let me tell you, young man, that if you behave properly I shall see that your lot is made as easy as possible for you." And this young man said, "This happened in the first fifteen days of my detention. I was 11 months in that detention camp, and that is all he ever did for me to repay my cousin for 9 years of friendship and hospitality in Paris." This young man says he was exchanged because he was supposed to be dying. He lost 28 pounds through want of food. As I told you before, the doctors

were made prisoners in August. They were dressed in their summer clothing; and when winter came all they had to sleep on was a stone pavement covered with half an inch of straw, no coverings, no fire, nothing to cheer them, but if they looked through a window there was a shot ready for them. Now, hon. gentlemen, this is the way prisoners have been treated in the German camps. Compare it with the way these brutes are being treated in Amherst.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BOYER—Why, one of them tells you that it took them 3 days to dig that tunnel; that at last they got into trouble with the sand, they did not know where to put the sand because the tunnel was some 35 feet long; but he says, "As no sentry was looking we did not bother."

Hon. Mr. McSWEENEY—Exactly.

Hon. Mr. BOYER—And one of the officers says, "We consider it good policy to allow those Germans to spend as much money as possible in the camp." What is the meaning of this? And whenever one of those gentlemen had a toothache he was allowed to go out in the town of Amherst accompanied or unaccompanied—"Do as you please." Do you think such a thing would have been allowed in a German camp? Do you think one of ours is even allowed to look through the window without being shot at? And we are going to condone misconduct on the part of officers who had charge of the detention camp.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BOYER—Why, to me, the thing is inexplicable, that men that are supposed to do their duty, that are paid to do nothing but watch, should have been asleep when those Germans were awake and managed to escape. If ever condemnation was deserved it is on the simple fact that twelve of those men got out—escaped by digging a tunnel. It reminds one of the old days during the French regime where prisoners dug tunnels under their cells and escaped, but here was a full military garrison of men, well fed and highly paid to watch the prisoners, and they neglected to do their duty. Now, I do not care two pins about the finding of the court-martial, but I say this, that if such an escape had happened in Germany every one of the officers in charge would have been shot.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BOYER—And if some of them were shot here in Canada we would never have had the crime that to-day we have been deploring. Why, take in our own city of Montreal; half of the Germans there have been arrested for assisting their confreres or other alien enemies to escape. We passed a law here in the session of 1914 removing the right of the magistrate to try cases of high treason, and providing for their trial by court-martial. In Montreal we find that one man has been tried three times for the same offence, and every time, through splitting hairs, he escaped. It has cost the country $6,000 to allow this German to fool around the streets of Montreal, in order that a legal firm in Montreal might earn a great big fat fee.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BOYER—And to make the rest of the country the laughing-stock of the world. That is what we are up against. We have to deal with a nation that has been preparing for this war for forty years, thoroughly organized, thoroughly up to all tricks, and the only way to get even with them is to treat them as they treat others. If a German of the importance of our dear colleague, Dr. Beland, had been captured in this country, rendering indiscriminately during the war the services Beland was rendering Germans and Belgians in Belgium when the war broke out, do you mean to say that the British Government would not willingly have exchanged him? Dr. Beland, I am sure, had not an enemy either in the Commons or in the Senate; all were Dr. Beland's friends, yet see the way that man is being treated—separated from his wife, who, I am told, was on her death bed, marched to Germany and kept a close prisoner. The German Government has been repeatedly asked to exchange him for a man of equal position, but they have always refused. I would like to know what Beland could reveal if he came back to his native country. Not a word would he say if his word of honour was given; but a German's word of honour is worthless; a German's word is not to be taken. People that will violate treaties signed by a dozen sovereigns, their own included, tear them up and call them " scraps of paper," should be wiped off the face of the world. Men that will treat other nations as Germany has treated Europe should be wiped out. And let us unite in a common effort to do

it. Let us ask those that are in charge of detention camps not to pardon one single escape of the enemy. Let us keep every department of the Government as pure as we possibly can and unite in one great effort so that we may wipe out for ever this common enemy which they call the German plague. Two books were recently published which I trust every hon. gentleman in this House will read. One of them was published in London by a Mr. Claes, who had been the editor of a big newspaper in Antwerp. For years Mr. Claes cautioned his countrymen against the German peril, what he called the Germanization of Belgium. Steadily he fought against German influence until the climax came and he had to flee to London, where in a series of articles published in his newspaper called the Metropolitan, he predicted 15 years before the war broke out everything that was going to happen. And what happened? Two years before the war broke out the German Government asked the Belgian Government's permission to erect a wooden bridge over the river Meuse, which is a frontier river between Germany and Belgium, at a place called Vise and Liesche. The Belgian Government saw nothing in it; it was a wooden bridge put up by the engineers as an experiment. That wooden bridge was put up in 11 hours; it was perfectly solid and a regiment crossed on it. The regiment walked back to Germany; the bridge was removed, and it disappeared. That bridge, or every particle of that bridge, was numbered; it was stored in a little frontier station, in a shed erected for the purpose, called Dalheim; and when the war broke out and when Germany got ready to invade Belgium, that bridge was put up in four hours time. They had tried it two years before; every part of it worked to perfection, every part of it was ready, and the German army walked into Belgium on that identical bridge that they had asked permission to put up as an experiment. That gentleman goes on further and says " Let me caution the world that it is unsafe for any man of any nation to introduce into his own family, into civic affairs or parliamentary affairs, any man belonging to the German nation, because it is part and parcel of the German policy to use hospitality for the benefit of their own country."

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BOYER—Be that hospitality abused in the grossest way, it is considered more meritorious on the part of the Germans than otherwise. He goes on further and says that in the month of June, 1914 every railway wagon belonging to German railways was withdrawn from Belgium. In the month of June all the German houses doing business in Belgium were advised to sell whatever French or Belgium securities they had. In the month of June German houses which used to settle their accounts on the 30th of the month, refused to do so for one reason and another. They never paid up because war was declared on the 4th August, and the Belgians were left in the lurch. Going further, an Australian authoress, Mrs Creed, came to England to investigate reports of German atrocities. She never could believe that a nation that had produced such poets as Goethe, such musicians as Beethoven could ever be guilty of the atrocities of which the Germans were accused. She said " I got my passport, got into Antwerp and the first little city I was taken to was the town of Aerschof and what did I see? I came there convinced that Germany had been blackened, and what did I find? I found the city in ruins. The only building that was left intact was a little bit of a church. It started raining and I took refuge in that church, and what did I see there? It had been turned by the German occupants into a beer house. In the tabernacle stood a bottle of gin; in the holy water font were empty bottles; in the baptismal font were bottles, bottles, bottles; and just then as I was shedding a tear on this desecration the beadle gently touched me on the shoulder and said, " Come with me," and I was shown a stone image of the Virgin and Child; it was a relic of the ninth century, and those Germans in their work of destruction had broken the head off the Virgin and Child and smashed it at the foot. A little farther on stood a wooden image of our Lord. It was a wood carving of the eleventh century; highly valued. It was heavily besmeared, as far as the face and breast were concerned, with petroleum, and set on fire, but it would not burn. They tried three times to burn it. It was scorched, but partly saved; and when I looked at those horrors although I am no Roman Catholic I think their churches as well as ours are worthy of respect, and it is only from brutes that such treatment could be given to a church. Just then the beadle touched me on the arm and said, " Madam, come with me," and I went a little farther; I came to a little door leading into a small sacristy, and

on the door was a small sign, " Private." Nobody is to enter; the door was opened, and what did I see? On the floor were petticoats, ladies dressing apparel that had been torn from the body of the victim by the brutes who before that had killed the fathers, brothers or husbands of their victims." These, hon. gentlemen, are specimens of the behaviour of Germany. whose subjects Canada is to-day paying her best money and giving her best provisions to keep in detention camps. Nothing is good enough for those brutes. Well, let us turn over a new leaf and treat them as they have treated ours; treat them as they have treated the world at large—as wild beasts. We give the very best flour. the very best pork, the very best lard, the very best syrup, the best white bread, and everything else. I have seen samples in the post office in Montreal of the clothing we furnish them. Officers were choosing the very best and warmest clothing that could be got for those men, in the face of the experience I was relating of this young French medical student who was kept in summer clothing through a northern winter, sleeping on a stone floor for 11 months, and never given a change of clothing or a chance to shave. As for washing he said, " We had to go to a trough and break the ice." Why, our prisoners are given hot water. I believe if they were to ask for a barber they would be given a barber, because they are already given a dentist. Is it not time, hon. gentlemen, that such treatment should stop? Is it not time that Germany was told, " You treat the rest of the world as we treat yours, otherwise we will make you feel it?" I think the time has come when some such stand should be taken. To me the evidence in support of the charge brought by the hon. senator from Victoria remains, that 12 prisoners escaped, and they escaped because they were allowed to escape.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. BOYER—You will never make me believe that a sentry was not sharp enough to detect a gang of men digging a tunnel for three days, yet one of them says, " When I got out there was a sentry at the corner; he kind of turned his head at the corner and we ran." And on that evidence we are asked to excuse them? Well, my only regret is that we are not as thorough as they are in Germany, where men who allowed those brutes to escape would get proper punishment.

Hon. Mr. BOYER.

Hon. Mr. McSWEENEY—I know a little about the escape of those prisoners from the Amherst detention camp. I thought they escaped at 8.30, but the hon. gentleman from Antigonish says it was 6.30.

Hon. Mr. GIRROIR—I am not so sure of it.

Hon. Mr. McSWEENEY—It makes very little difference. After getting out of the tunnel, it was a stormy night and they wrapped themselves in white sheets. As the sentry passed they lay down, and when he got past them they got up and went away. It seems they walked over to the office and bought their tickets at Amherst for Moncton. At Moncton they purchased tickets to the border down at St. Stephens. Now, they escaped, at 6.30.

Hon. Mr. GIRROIR—I was mistaken about that.

Hon. Mr. McSWEENEY—At St. Stephens five of them crossed the river on the ice; the rest were captured and returned to the Amherst detention camp; all of which shows that when they could buy tickets at the railway stations in Amherst and Moncton and walk around there in their everyday clothes there was a good deal of lack of discipline in the camp.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. McSWEENEY—The very first night those people landed in Amherst was the night after they had been given a bang-up dinner at the St. Regis hotel; champagne flowed like water. Talk about feeding them, why, they lived up to the highest tone. A man was telling me he dined at the hotel there and complained of the beef, and the answer of the landlord was that the best cuts of the beef were reserved for the Germans; that is the reason my friend had to eat the tough beef. The hon. gentleman has talked about the treatment alien prisoners from Canada and France and Britain received in German detention camps. I saw it reported that they imprisoned a poor Highlander who refused to put on breeks, that is trousers. He objected to put on trousers and they put him in prison. I have nothing to say against Col. Morris, or the other officers, but they certainly were lax and remiss in their duty, when it took them from half past six at night, when the prisoners escaped, until half past eight next morning, before they discovered the fact, and by

that time they were down on the border 125 miles away. I think some of the officers were to blame, and yet according to this report, the whole box and dice of them were exonerated.

Hon. Mr. GORDON—I have the greatest respect for the opinion of my hon. friend from Antigonish, but I am quite sure in this case he might not have spoken so warmly or so generously in respect to the ability of Col. Morris, who was in charge of the camp, had he read this evidence beforehand. The findings of the court show surely that the grossest negligence prevailed there, and if that is the case—and I say we are bound to accept is as true—it would seem to me that Col. Morris, or who ever the man in command down there was, was not equal to the task of looking after these interned men. While I do not always agree with the hon. gentleman from Victoria division, and while I believe that he has stated a great many things in connection with this that he should not have said, and which it appears now he did not think he was saying, at the same time we owe him something for having brought the matter up. If the military authorities are allowing men to remain in command of interned camps who are not doing their duty, they are not doing what is right. The public want to see the people in these interned camps kept there and for my part I would have no confidence in men who have made such mistakes as have been proved in this case.

The motion was agreed to, and the debate was postponed.

THIRD READING.

Bill (D-2), An Act for the relief of Christopher Sinclair.—Hon. Mr. Derbyshire.

CANADA GRAIN ACT AMENDMENT BILL

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 58, An Act to amend the Canada Grain Act.

Hon. Mr. WATSON—Could the hon. gentleman tell me whether the Grain Commission are acting under the provisions of this Bill now or are they waiting?

Hon. Mr. LOUGHEED—They are waiting until the Bill passes—until the Royal Assent.

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

SECOND READINGS.

Bill (G-2), An Act for the relief of Hope Fothergill Baily.—Hon. Mr. Derbyshire.

Bill No. 32, An Act respecting the Toronto, Hamilton and Buffalo Railway Company.—Hon. Mr. Milne.

PEDLAR PEOPLE LIMITED PATENT BILL.

SECOND READING.

Hon. Mr. TAYLOR moved the second reading of Bill No. 29, An Act respecting certain patents of The Pedlar People, Limited.

Hon. Mr. POWER—I think the hon. gentleman from Grey, who I understand, has charge of this Bill, and who is very keen about having the House informed on second readings of private Bills, as to just what they mean, should explain.

Hon. Mr. TAYLOR—It is the hon. gentleman from Leeds who has charge of this Bill. It was placed in my hands by Hon. Mr. Smith, the member for Ontario, who explained to me that the reason for seeking a renewal of the charter, was that Mr. George Pedlar, the senior partner of this firm, was suddenly taken ill and died, and the other members of the firm did not know anything about the matter until they examined the papers, and found that not only one, but four of their patents had expired. They came to Ottawa, and Mr. O'Halloran informed them that the only thing to do was to have a special Act of Parliament passed. The matter was brought up before a committee in the House of Commons and Mr. O'Halloran appeared and gave the explanation and said that everything was satisfactory. These men had been manufacturing for several years, plate steel to take the place of laths for the purpose of building. They have a large factory and are running the business—

Hon. Mr. THOMPSON—How long has this patent lapsed?

Hon. Mr. TAYLOR—It lapsed in 1913, and they only discovered it after George Pedlar's death.

Hon. Mr. POWER—Speaking altogether for myself, I may say the hon. gentleman's apology is quite satisfactory.

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

UTTERANCES OF THE SPEAKER.

MOTION WITHDRAWN.

The Order of the Day was called:

Resuming the adjourned debate on the motion of the Hon. Mr. Pope, seconded by the Hon. Mr. Taylor:

That this House deeply regrets that in more than one public speech, and particularly in a speech at a public meeting held at Ottawa on the twenty-seventh day of June last, His Honour the Speaker of the Senate has made injurious and unjustifiable remarks about members of the Senate, and this House is of opinion that it is highly improper for any senator while holding the high office of Speaker to publicly engage in violent public controversies and make statements calculated to throw discredit upon this House or the members thereof.—Hon. Mr. Sproule.

The SPEAKER—Will the Hon. Mr. Watson take the chair?

Hon. Mr. POPE—I do not think it is necessary. I have not had the opportunity of seeing the report, but if it is satisfactory to the committee who represented the House and waited upon His Honour the Speaker in regard to the language that he was reported to have used, I would withdraw my motion. If the committee are satisfied with His Honour's reply that the report was false and that he regrets he was misreported, I withdraw my motion.

Hon. Mr. SPROULE—I understand the report is to be considered to-morrow.

Hon. Mr. POPE—I understood it was to be dealt with immediately.

Hon. Mr. CLORAN—If the chairman moves the adoption of the report that will settle the whole thing.

Hon. Sir MACKENZIE BOWELL—There is nothing to adopt. There is no recommendation. We were asked to obtain certain information and did so, and have reported to the House, and having considered the Speaker's reply a sufficient answer to the question, the hon. gentleman from Compton now says since it is satisfactory to the committee he will drop the motion.

The motion was dropped accordingly.

VANCOUVER HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 59, An Act to amend the Vancouver Harbour Commissioners Act.

Hon. Mr. POWER.

(In the Committee.)

Hon. Mr. LOUGHEED—I explained yesterday that owing to the incorporation in the present Act of a certain clause in the Canada Shipping Act which applies to this Act, the Harbour Commissioners are precluded from imposing such substantial tolls as will permit of their administering the harbour properly, and it is therefore proposed to leave out the lines in the present Act making that provision.

Hon. Mr. BOSTOCK—Could the hon. gentleman tell me, are these tolls submitted to the Governor in Council before they become effective?

Hon. Mr. LOUGHEED—I understand all tolls are submitted to the Governor in Council, but I do not speak with authority on that.

Hon. Mr. BOSTOCK—The matter has been discussed very largely in England as to the question of charging harbour dues and tolls on vessels. That mostly refers to German vessels and does not apply to the present time, but after the war is over, supposing the Harbour Commissioners should adopt the policy of penalizing the vessels of a certain country, they would have to submit those tolls to the Government here, and the Government would have to decide whether a policy of that kind should be adopted or not.

Hon. Mr. LOUGHEED—That is rather a hypothetical case. It is difficult to say what would be the policy of the Harbour Commissioners, and also what would be approved by the Government. I might say the lines we are striking out of the existing legislation read as follows:

As would be payable in case of a harbour to which the Canada Shipping Act applies.

Hon. Mr. McSWEENEY—The Montreal Harbour Commissioners fix their own dues, do they not?

Hon. Mr. LOUGHEED—I understand that they impose dues commensurate with the service performed.

Hon. Mr. DANDURAND—Has the hon. gentleman information as to what that harbour commission owes in bonds guaranteed by the Government?

Hon. Mr. LOUGHEED—I shall obtain that information before the third reading.

Hon Mr. POWER—I should suppose this power given to Harbour Commissions to

impose tolls is subject to the approval of the Governor in Council.

Hon. Mr. LOUGHEED—I understand all those tolls are subject to the Governor in Council.

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

BANK ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The Order of the Day being called:

Consideration of the amendment made in Committee of the Whole on Bill 33, An Act to amend the Bank Act.

Hon. Mr. LOUGHEED—My hon. friend from De Salaberry, who is not in his place at the moment, has pointed out to me that the amendment which he prepared yesterday—I understand it was he who prepared the amendment—is not quitte in conformity with what was intended. By way of explantaton, I might say that subsection 19, which is the subsection that we have amended, refers back to section 16, and this legislation would only have effect in the province of Quebec, or in any province where there is an absence of legislation dealing with bills of sale or chattel mortgages. Consequently provision is made in the Bill for the adoption by the bank of a security receipt in lieu of a bill of sale or chattel mortgage that would be adopted in the other provinces. It is therefore proposed, in subsection 19, that notice of the sale under the security receipt should be printed in a newspaper published in French and also in a newspaper published in English. The language that we used yesterday in the amendment reads this way:

In a newspaper published in French and English.

That would involve a newspaper being published in both languages, the intention being that the newspaper, if French, should be a separate newspaper from the paper published in English. I therefore move that the House go back into Committee of the Whole on the Bill.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

Hon. Mr. LOUGHEED—I move the amendment which I have just mentioned, so that the clause will read in this way:

In a newspaper published in French and a newspaper published in English.

Hon. Mr. POWER—With respect to that amendment do I understand that Bills of Sales Acts are in force in all the provinces except Quebec?

Hon. Mr. LOUGHEED—I understand so.

Hon. Mr. POWER—Because otherwise the requirement that the notice should be published in a French as well as in an English newspaper might render it impossible to give the notice required by statute.

Hon. Mr. LOUGHEED—Yes, the subsection will only be in operation in a province or section of Canada where there is no chattel mortgage or Bills of Sales Act.

Hon. Mr. BOLDUC—There are places in Quebec where no newspapers are published, and a publication of such a notice in a paper published 50 or 100 miles from the place where the transaction has been made will be of no use.

Hon. Mr. THOMPSON—Will the notices not be posted in the post office?

Hon. Mr. BOLDUC—I believe it would be just as well to have only the notice posted in the post office, and dispense with the publication in the newspaper.

Hon. Mr. DANDURAND—I draw attention to the fact that this will be operative in banking transactions, so that wherever there are banks—

Hon. Mr. BOLDUC—You have banks everywhere.

Hon. Mr. DANDURAND—And newspapers.

Hon. Mr. BOLDUC—No. In Dorchester we have no newspaper, and in Beauce, with a population of 55,000 only one.

Hon. Mr. DANDURAND—But all the Lévis and Quebec papers circulate through Beauce and Dorchester. This Act is not intended specially for Quebec, but for the whole country.

Hon. Mr. LOUGHEED—No, this provision is for Quebec.

Hon. Mr. DANDURAND—I thought it was part of the amendment proposed by the hon. gentleman from Portage la Prairie.

Hon. Mr. LOUGHEED—The policy of the Bill is that the bank shall be placed in the same position relative to bills of sale and chattel mortgages as individuals are. Now

where chattel mortgages and bills of sale are not in force by virtue of a statute—and I understand that to be the case in Quebec—we have laid down a procedure which will take the place of the procedure adopted in the other provinces where bills of sale are in force. Consequently, if the hon. gentleman will look at the Bill he will see that the subsection which we are amending has only reference to a province where bills of sale cannot be used. We adopt a security receipt, and this practice shall apply to that particular security receipt.

Hon. Mr. BOLDUC—I may also say the expense of publication will surely be met by the debtor, and when a man is unable to pay the amount he has borrowed, and has given a chattel mortgage, it will be better for him to pay only for the notice, and to do away with the publication in the newspaper.

Hon. Mr. DANDURAND—I should like to look into the matter a little further.

Hon. Mr. LOUGHEED—In that case I would be willing to let the Bill stand until to-morrow. I might say the Finance Department do not approve of the amendment; it is something unique to be introduced into the Bank Act, and it is thought that the notice the bank will give by posting up a notice in a post office will be very much more effective than a notice published in a newspaper some distance away.

Hon. Mr. DANDURAND—For myself I should be satisfied with a notice in the post office.

Hon. Mr. POWER—The amendment provides for both. That covers the ground.

Hon. Mr. LOUGHEED—If it is the feeling of the committee to strike out notice published in the newspaper—

Hon. Mr. WATSON—Oh, no.

Hon. Mr. BOLDUC—I do not see why the member for Portage la Prairie should have any objection, because I suppose they have a chattel mortgage law in his own province, and I believe the province of Quebec is the only province where there is no law to permit chattel mortgages.

Hon. Mr. WATSON—I am not objecting particularly because it affects Manitoba, but I think in any legislation that comes before us we ought to see that all necessary notice is provided for.

Hon. Mr. LOUGHEED—Of course, the debtor will pay for it. If expensive advertising is to take place without being effective, we have to take into consideration that the debtor will have to pay for it eventually.

Hon. Mr. WATSON—I think the post office notice is better.

Hon. Mr. LOUGHEED—I think so, too.

Hon. Mr. DANDURAND—I understand the hon. gentleman from De Salaberry, who moved this amendment, would like to discuss the matter; therefore I would suggest that the committee rise and report progress.

Hon. Mr. SPROULE, from the committee, reported progress and asked leave to sit again on Tuesday next.

BILL INTRODUCED.

Bill (68), An Act relating to the Superior Court of Saskatchewan and to amend the Judges Act.—Hon. Mr. Lougheed.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE,

Friday, March 31, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

PRISONERS OF WAR.

NOTICE OF INQUIRY.

Hon. Mr. CLORAN gave notice

That he will inquire of the Government:

1. If alien prisoners of war in any or all of the detention camps situate in Canada receive an allowance of 25 cents, more or less, per diem from the Government, or any moneys for work by said prisoners?

2. If the said alien prisoners of war receive similar, better, or worse treatment than is accorded by the German Government to Canadian or other allies prisoners of war in detention camps in Germany.

3. If the Government is not aware of the actual condition of things as existing in enemy detention camps, will it take immediate steps, probably by cable, through the proper constitutional channel to ascertain these facts and without delay communicate them to Parliament and the country?

He said: I think the Government ought to be able, under the circumstances, to give an answer to this question by Tuesday next, and especially so that the hon. senator from Antigonish (Hon. Mr. Girroir)

may have an opportunity to prepare a plea for the commanding officers of alien detention camps.

Several hon. GENTLEMEN—Order, order.

PASSPORT GRANTED TO AN ALIEN ENEMY.

MOTION.

Hon. Mr. McSWEENEY moved:

That an order of the Senate do issue for a copy of all papers, letters, and all correspondence regarding the passport granted to W. F. Bauman, an alien enemy, the said Bauman being a Bavarian.

The motion was agreed to.

RECONSTRUCTION OF PARLIAMENT BUILDINGS.

MOTION.

Hon. Mr. POWER moved:

That the Standing Committee on Public Buildings and Grounds have power to consider and report on the plans proposed for the reconstruction of the Parliament Building, and also to act in conjunction with any other committee whatsoever dealing with the same subject-matter.

He said: The matter to which I propose to call attention is one which, I suppose strictly speaking, should be dealt with by the Minister of Public Works. That minister is in the last resort responsible, but the Senate are sufficiently interested in the reconstruction of the Parliament Buildings to express an opinion on the matter. Inasmuch as nearly one-half of the reconstructed building will be occupied by the future generation of senators, what we think about it should have some weight with the Government. Somebody representing the Senate should have a word to say with reference to this important work in which they are so much interested. Hon. gentlemen may say that the plans of the proposed reconstruction were on exhibition in the room of the hon. Minister of Public Works at the other end of the building. That is a fact. These plans were there for a few hours, and my hon. friend from Moncton tells me that they were also at this end of the building, but if so, I have not had the good fortune to see them. I was just going to say that the plans are very handsome, and some of the things they show are matters we should all approve of. For instance, the plans show that there are to be, in the reconstructed buildings, staircases leading all the way from the top flat of the building, down to the ground floor. As every hon. gentleman knows, in the old building there was practically only one staircase leading from the third floor down to the floors below, and that was so remote from the Senate end that any senator who happened to be up on the third floor—for instance when the late fire took place—would have had no chance of escaping. That is an important change, therefore, that every hon. gentleman will approve of. With respect to the plans, I am not an architect, and have not had much to do with architects, but I feel towards them somewhat as I feel towards engineers. It does not matter what undertaking you propose, if you consult different architects they will give different opinions and different recommendations. It is the same way with engineers and I am sorry to say, but it is true, even of doctors.

Hon. Mr. WATSON—What about lawyers?

Hon. Mr. POWER—If you go to an architect, engineer or a doctor and call him as a witness on a trial, the party on the other side will get an architect, engineer or doctor who will directly contradict the evidence of your witness. So that I do not look upon the opinions of architects as being articles of faith. The truth is this, hon. gentlemen, when a building is to be erected or altered, the people who propose to use that building, or who have been using it, if it is a case of alteration, as it is in the present instance, know better from the practical experience of years what it is that is needed than an architect who comes from outside and has not had the practical experience. The right thing to do with respect to an undertaking of this sort is that the parties for whom the work is being done, in this instance the Parliament of Canada, should make up their minds what they wish, and then instruct the architects to carry that out—not to give the architects carte blanche to do as they please, but to say to them "We want such and such things done, such and such accommodation provided, and you just give us the best plan you can for doing that." Perhaps gentlemen who have come into the Senate recently do not realize it, but some years ago some changes were made in the Parliament Buildings, and amongst other things the architect proposed to put in a lift, or elevator for the use of the officers and members of the Senate. I happened at that time to occupy the chair,

and I found that the architect proposed to put that lift just inside the main door of the Parliament Buildings on the right hand side, where it was actually put. I pointed out to him that while he thought it was more symmetrical to have the lift there opposite the lift on the Commons end, if we were to have only one lift it should be put where it would be used by officers and members of the Senate, and that is the place where it would lead up to where the principal officers have their offices, and where a number of senators have their rooms. The architect looked upon me as more or less of a barbarian, lacking culture, although he was not a German, and he put the lift where hon. gentlemen know it was placed. The result was that as far as regards the officers and the bulk of the members of the House who wished to go from the ground floor up to the next floor above, it was practically of no use. It took as long to get around to where the lift was located as it did to go to the other staircase and walk up. I mention this to illustrate the fact that architects' views are sometimes not as practical as they might be. As I say, these plans that were on exhibition looked very nice, indeed, but practically they gave only the exterior of the building. I do not know just what is proposed to be done with respect to the interior, but I may mention some of the things that we hear. I have seen it stated in the newspapers, I think, as having been mentioned in the House of Commons, that in future there will be no living rooms for the Speakers of the two Houses. I do not propose to discuss that question, because it is a very doubtful problem, but I think that the proposal to take away the residential rooms from the Speakers of the two Houses is a very questionable policy. That is one of the things that the committee might consider. Then, again, it has been alleged that there is to be no restaurant in the reconstructed building. Well, if there are no Speakers' rooms and no restaurant—

Hon. Mr. THOMPSON—I understand there is to be a restaurant; the Speaker of the House told me so.

Hon. Mr. POWER—Well, I do not know, I am only mentioning the things that one hears, and that is one of the things that should be found out. In every Parliament of any consequence there is a place where members can, if necessary, get meals.

Hon. Sir MACKENZIE BOWELL—There is one in the Imperial Parliament.

Hon. Mr. POWER—Another thing: I think it was stated that the intention was to utilize the Library building as a reading room. Now, I suppose the Library is about the finest room in the whole Dominion of Canada, and the proposal to undertake to use that room just as a reading room is one that will not appeal to a man of culture. One or two other points I wish to say a word about: When the addition was made to the Commons end of the building a few years ago, there was one thing which I think every one felt, and that was that there was a great want of suitable committee rooms for the business of the Commons. The truth was that the Railway Committee room of the House of Commons upon the third floor was so large and its acoustic properties were so imperfect, that it was really a very unsuitable place for the meetings of committees, and because the Commons were rather aggressive, they had taken possession of two committee rooms which really belonged to the Senate, the committee rooms east of the old tower, and the Senate was pushed out of those rooms. When the addition was made some few years ago one would have thought that the first thing that would have been done was to have supplied good committee rooms for the House of Commons. Instead of that there was not a single committee room supplied. There were sitting rooms and business offices for the members of the Commons, but not a single committee room.

Hon. Mr. THOMPSON—Except the big Railway Committee.

Hon. Mr. POWER—The Railway Committee room was there before; the only addition made to the Commons building at that time which could be looked upon as being used for public purposes was the restaurant. I trust that a similar mistake will not be made now. It is very desirable, of course, that members of both Houses should have as many of the luxuries of home as are possible here; but I see it was suggested by some gentleman in another place that every member of the House of Commons should have an office to himself, and, I suppose, a typewriter. I have nothing more to say except this, that our committee, which is a standing committee, should have a hearing from whatever authority is going to finally decide on the character of the reconstruction.

Hon. Mr. WATSON—As chairman of the committee referred to, I would say that this House ought to feel under a debt of gratitude to the hon. member from Halifax for bringing this matter before the House. I rather think we are not paying enough attention to the reconstruction of the Parliament Building, and in fact if we do not take some such action as has been suggested by the hon. gentleman, we may find that the reconstructed building will not be to our liking when we get there. We had a plan submitted to us. The first time it was exhibited the Commons was invited, but no notice was given to the Senate. The leader of the House and some members getting busy, the plans were brought down to the Senate and we had an opportunity of looking at them. We saw the plans, but the architect's explanations about the division of the buildings afterwards were very vague; they did not know what rooms were to be provided or what accommodation is to be furnished for the Senate or the House of Commons. I rather think that the Senate ought to take a greater interest than the House of Commons in the reconstruction of the building, because we are here for life while the others are only transient; the next election may leave them at home. I fully agree with everything that has been said by the hon. gentleman who has moved this resolution, and certainly with the view that we ought to summons the architects and, with those plans before us, offer our suggestions. It is not enough to say that the architects made this plan. I agree with the hon. gentleman that we ought to let the architects know what we want and then try to get them to work it out as well as they can with the material at their disposal. I understand that they are certainly going to destroy the addition to the west end of the building that was erected a few years ago at a cost of a half million dollars, for the purpose of getting the Commons Chamber located in a certain place. I am one of those who think we should not be sparing in expenditure in putting up the Parliament Building, because such a building will last for hundreds of years, and we ought to give careful attention to the matter, and do it in the best possible way. I made it my business to call up the Public Works Department some time ago and they promised to consult the Senate. They informed me that some members representing the House of Commons and two senators representing the Senate, were on the committee. Well, my hon. friend in front of me, the leader of the Opposition, was one, but he said he had never heard of it. The other hon. gentleman was the leader of the House, and I do not know that he has heard of it, but certainly the Senate seems to have been ignored as far as this matter is concerned. As Chairman of the Committee on Public Buildings I shall, if possible, get the proper parties to come before the committee next week with plans, and I promise when the meeting is called I shall try to inform all the members of the Senate, because we are all interested, and have them look at the plans, and hear what the architect has to say.

Hon. Mr. SPROULE—I am quite sure that the hon. member for Halifax is doing nothing wrong in drawing this matter to the attention of the House. The architectural design, looking at the building from outside, is beautiful, and, no doubt, there was the development of æsthetic taste. It looked well, but like everything else, the proof of it is in the use of it.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. SPROULE—And when you went into that building and used it, at least as I did (for I went into it 37 years ago), you asked yourself the question, were intelligent men consulted with regard to the various needs of a building like this? The answer you would give yourself was: "No, they could not have been," because if they had been, you could scarcely imagine it possible for any one to devise such ineffective schemes for the accomplishment of what they apparently aimed at. What are some of the needs of a public building? First, there is the need for health, that means proper ventilation, heating and lighting. Tested first with regard to health, after occupying that Chamber for three or four weeks, you felt when you entered it as if you were going into a pest house. The smell was no better. We had discussion after discussion regarding the ventilation of the building, and consulted experts and made improvements from time to time; I do not know how many times that House had been gone over to improve the ventilation. Each time we were assured that it would be absolutely perfect, but very soon fresh complaints called for further investigation and improvement. No doubt, from time to time it was improved, but up to the time it was burned, it never was a building suitable for the number of people who occupied it every session. What was the device for ventilating the building? The

first time that I spoke in regard to it I said, what I am prepared to repeat here to-day, that if man's ingenuity had been set to work to devise a scheme that would be absolutely unsuited to accomplish what was aimed at, I do not know how they could devise one that would more effectually produce that result. What did they do to ventilate that building? They made a subterranean passage, 75 yards long, where it was damp and at times wet, and there was a constant decaying of vegetable matter all the time; then with fans they drew the air from the outside, through that long underground passage into the building, and, after drawing it, heated and circulated it through the building. And that is the system that experts thought was stamped with perfection. Now, I do not think there is a medical man who has ever given the subject of ventilation reasonable thought, who would waste 15 minutes considering it without deciding that it was absurd. Put a thousand people into this room, with the temperature standing at 45 degrees when they come into it. With the heat that they give off from their lungs, every breath of air becomes charged with carbon, and, being heated, naturally goes upward. Should not that suggest to any one the wisdom of providing exits above to carry off the impure air? Instead of that, fans were arranged to bring the air down again and send it out through the long passages. That was the system in operation until the day the building was burned down. Could any one think of a poorer device for providing ventilation? True, there were some windows up near the top of the building, but instead of the cold air coming in that way, the hot air was forced out. The cold air would naturally come in below, nearer the ground, being heavier than the hot air, and the hot air from the respirations of the human lungs being hotter and charged with carbon, would naturally go out above. That would suggest the wisdom of getting cold air from as near the ground level as possible. That is just what never was done. In looking over the plan that was submitted to us the other day, I asked, "Is there any provision made for a better system of ventilation than the one adopted in the old building"? One of the architects said, "Yes, it is very much better." I said, "What device have you? Are you bringing in the air from outside above ground"? He said yes. I asked, "Where are the windows?" He went on to say that air would come in through the windows, but when you came to look over the plan carefully you found that all those windows are to be in the second story. In the first story there is a corridor around the chamber, and a row of rooms outside that corridor; therefore, you can not have the outside windows opening into the chamber. At best they can only open into the rooms, and from the rooms into the corridor. Practically, the system of ventilation is much the same as the old one, in so far as any virtue might accrue from bringing pure air from the outside at the proper place. Then look at the lighting of this building which we now occupy. It is lighted by a man who assumes to be an authority on lighting. It always reminds me of what has happened a thousand times to every medical man who has practised for any length of time. You go into some dark room; there are two or three small windows in the room to give light and air, but the ladies of the house, for fear the flies will come in, cover up the windows and shut out the light, which allows no air to come in, and the windows might as well not be there at all. So it is here. Look at these lights. As soon as you get a light you put a dark shade below it and you get little benefit from it. In my room there is supposed to be a perfect lighting system, but when I pick up an ordinary paper with moderately small print, I cannot read it without straining my eyes. Why should we get the light and destroy it by putting a shade over it to prevent it from coming where you want it, and throw it upwards when you want it down on your paper. They call that a perfect system. You can go into room after room in this building where we are supposed to have a splendid system of lighting and you can scarcely read at night. That does not give evidence of a great amount of intelligence and expert knowledge. It is when you begin to use these things that you can tell whether they comply with the requirements or not. We have a fairly good light here, but it could be made a great deal better than it is, and they say that these shades which prevent the light coming through them tones that light down and it is not so hard on your eyes. Go down to the Russell House rotunda, and you will find lights all through it that are so shaded down that it looks as dismal as a half lighted dungeon. I have visited some of the hospitals where the patients could not bear light in their eyes, and the windows were shut up and they were using

small wax candles until it looked actually dismal just like the hotel. If you light a building up it looks attractive and healthful. You get your light, you pay for it, and you destroy it with a shade that is no good. There is a great deal in directing light in a proper direction but there are some defects that occurred to me in this building. Therefore I think it is a splendid idea that there should be a conference between the men who are at present using this building and must use it as long as they remain here, and those who are considered experts, because the best experts in the world will differ on these things. You can get the best man in the world to make a device, and when he comes to put it in operation, it will not be equal to what he represented. My hon. friend said that experts differed. They do differ. Even doctors differ; so do lawyers. That is not to be wondered at. It is natural. But when you bring the largest amount of intelligence, or the most intelligent expert knowledge to bear on a subject, and have them discuss it with each other they reach the best conclusion possible, and I do not know any better way to determine whether it is likely to fulfil the requisites or not. Then get some information from those who have been occupying the old chamber on the hill and occupying this one, and who know from day to day what are the defects that they have been obliged to contend with, and they will give advice as to the best possible means to remedy them in the future. There are many things we must get from the experts. They have studied the question and know better than we do what should be done. But there are some things we want—some prime requisites. There is first ventilation for health and heat for comfort; then there is light, and then acoustic properties. All these things have to be studied if you want as nearly perfect a building as you can get, and no one man can be equally informed with regard to those various lines and many of them have not been built on the latest and most improved plan, and when you come to examine their ideas you find they are defective. For that reason I agree with the suggestion of the hon. gentleman from Halifax that the plan should be looked into very carefully before a final conclusion is reached as to how the building should be laid out, and whether it should be according to the present plan, or whether there might not be some improvements made upon it. In my judgment there might be improvements. It is said that there are to be three members from the Senate and three from the Commons to deal with the question. That would not fill the bill, in my judgment. You have men who know certain subjects better than other people, and you cannot pick three doctors, three lawyers, or three farmers and say that they can go over the whole field of knowledge that ought to be present to the mind when determining the factors necessary to bring about the best result. You must have some one from each of the various lines, or you cannot get the best results.

Hon. Mr. CLORAN—Will the hon. gentleman tell the Senate what he thinks of these curtains behind me being down, preventing me from getting light? We have windows and they have put curtains over them and no light can come through. We have natural light, but they shut it out and put on the unnatural light.

Hon. Mr. SPROULE—If I had my way I would take them out of that in a hurry.

Hon. Mr. CLORAN—I ask the hon. gentleman's advice.

Hon. Mr. SPROULE—I am bound to say that the outside light is less injurious to the eyes than any artificial light that can be procured.

Hon. Mr. LOUGHEED—I hope that the fears which have been expressed by the hon. gentlemen who have already spoken upon the subject of the reconstruction of the Parliament Buildings will be found to be groundless when the work is entered upon. A great deal of misapprehension seems to exist as to the plans which have already been prepared, and which will form the basis of the reconstructed building. It must not be overlooked that these plans are a general outline of the structural features of what the building will be. It has not been attempted seriously to lay out in detail the interior of the buildings as yet. I may possibly be somewhat partial to the action already taken, but the Government has left nothing of a reasonable character undone to assure this work being carried out satisfactorily, particularly to both branches of Parliament. It was suggested—and it has been carried out so far as I know—that three members from each side of politics should be selected to be associated with the Minister of Pub-

lic Works in carrying out the work. The Prime Minister has already nominated three members from the Conservative side of Parliament, and I understand that Sir Wilfrid Laurier has been asked to nominate three other members. Up to a day or two ago Sir Wilfrid had not done so. It is to be hoped that no time will be lost in indicating his wish as to who those members shall be. I have no doubt it will be the intention of Sir Wilfrid to nominate one of those three from the Senate. I might say that I have already been asked by the Prime Minister to act as one. I am sure that committee will be only too glad to receive suggestions from either branch of Parliament as to the structural features, or as to the details in carrying out the work which is in view. The object of the Government is purely that of making those buildings not only an ornament to the Dominion of Canada, but of making them most useful for the purposes for which they were designed, namely the accommodation of Parliament. It must not be overlooked that there is more or less limitation of room in the buildings, and in dealing with the features mentioned by my hon. friend from Halifax as to the absence of Speakers' residences in the building, that feature will not be overlooked so far as providing necessary accommodation for the Speakers is concerned. I am not prepared to say there will be living accommodations for the Speakers. It must not be overlooked that if living rooms are furnished for the Speakers, or any officials of Parliament, it means a restriction or limitation of that accommodation which should properly be given to the members of Parliament.

Hon. Mr. TAYLOR—Hear, hear.

Hon. Mr. LOUGHEED—That has been the difficulty in the past. In the old buildings the choicest rooms were occupied by the officials of Parliament and by the officers and servants of Parliament who were living in the building, thus depriving the members of that accommodation which they certainly should have. There is no reason why this should not be one of the moving, the fundamental considerations in designing the reconstructed Parliament Buildings. Members come from a distance, and spend nearly half their time attending Parliament during the period they are members, and consequently it must be fundamental that in designing those buildings every consideration should be given to providing for their health and comfort, due regard being had to the space available. I think my hon. friend is scarcely warranted in saying that there will not be any restaurant. I am of the opinion that there will be.

Hon. Mr. POWER—I said these are the things that were stated.

Hon. Mr. LOUGHEED—I understand a number of rumours of an unreliable character have been in circulation as to the absence of many conveniences from the reconstructed buildings. I understand the present intention is that there will be a restaurant.

Hon. Mr. CLORAN—A dry one?

Hon. Mr. LOUGHEED—I do not understand that the present Library building shall be used for a reading room. My hon. friend's intimation is the first I have had that it is the intention to convert the Library into a reading room. The present intention is that the old library room shall be used as a library, and that additional accommodation shall be furnished for the Library in the reconstructed building. I have no doubt the committee to be appointed from both branches of Parliament and associated with the Minister of Public Works to carry out this undertaking, will be only too glad to receive any suggestions from time to time from members of this House. As a member of that committee I can assure hon. gentlemen I shall be only too glad to exercise all my efforts in meeting, not only the wishes of that committee, but the wishes of the Senate, in seeing that every convenience is furnished for this branch of Parliament.

The SPEAKER—Does the Government accept the motion?

Hon. Mr. LOUGHEED—I do not understand it to be put in that way. I understand that my hon. friend's motion has in view instructions from the Senate itself to this committee. The interpretation I would place upon the phraseology of the motion is that the Chamber should give the committee the authority it asks in carrying out this particular object.

The SPEAKER—There is one committee existing already. Will that committee act alone or will there be a joint committee of both Houses?

Hon. Mr. LOUGHEED—It is the Senate committee.

Hon. Mr. WATSON—The suggestion is that the plan should be brought before the Senate.

The SPEAKER—The existing committee will have power to act in conjunction with any other committee.

Hon. Mr. LOUGHEED—As far as the House can give that authority.

Hon. Mr. POWER—I suppose there is no objection to that.

Hon. Mr. LOUGHEED—No.

Hon. Mr. POWER—Under parliamentary rules our standing committee could not undertake to deal with a matter which had not been referred to it. Therefore, it was necessary to give them power to consider plans and report. There may be a committee of the Commons and there may be any other committee, and there is no reason why our committee should not be allowed to co-operate with any other committee.

Hon. Mr. LOUGHEED—No. His Honour the Speaker seems to be under the impression that the Government must necessarily consult this committee on all subjects touching the construction of the building.

Hon. Mr. POWER—Oh, no.

Hon. Mr. LOUGHEED—That is not the object. It is just an instruction by the Senate to the committee to give special attention to what is outlined in the resolution.

The motion was agreed to.

VANCOUVER HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 59, An Act to amend the Vancouver Harbour Commissioners Act. He said: I promised the hon. gentleman from Kamloops that I should bring down some information as to the sources of revenue enjoyed by the Harbour Commissioners of Vancouver. I may say that the commission consists of three members, appointed by the Governor in Council. The president receives a salary of $2,000 per annum, and two commissioners receive $1,500 per annum each; the salaries being paid out of the revenue of the commission.

The commission receives no financial aid from the Government with the exception of the revenue received from the leasing and granting of water lots.

For the eleven months of the present fiscal year the commission's revenue has amounted to $25,135.30, derived largely from water lot rentals, and proceeds of Crown grants.

For the preceding fiscal year, the commission's revenue amounted to $28,875.94, derived largely from the same sources.

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

THIRD READINGS.

Bill (G-2), An Act for the relief of Hope Fothergill Baily.—Hon. Mr. Derbyshire.

Bill No. 23, An Act to incorporate The Ontario-Niagara Connecting Bridge Company.—Hon. Mr. Boyer.

Bill No. 25, An Act to incorporate The Western Canada Telephone Company.—Hon. Mr. Bostock.

Bill No. 28, An Act respecting The Kettle Valley Railway Company and Vancouver, Victoria and Eastern Railway and Navigation Company.—Hon. Mr. Bostock.

INCORPORATION OF SEVENTH-DAY ADVENTISTS.

SECOND READING.

Hon. Mr. BEITH moved the second reading of Bill No. 39, An Act to incorporate The Eastern Canadian Union Conference Corporation of Seventh Day Adventists.

Hon. Sir MACKENZIE BOWELL—What is it about?

Hon. Mr. LOUGHEED—I think my hon. friend who has charge of this Bill ought to make some explanation. If the purpose is to organize a corporation to be brought into conflict with the Lord's Day Act by the observance of the seventh day instead of the first day we had better know it.

Hon. Mr. BEITH—The best way I can explain this is by reading part of a letter I have received from their solicitor explaining it.

I may say that the lands now held by the Seventh-day Adventists include the Seminary at Oshawa, comprising 237 acres. They have the Williamsdale Academy in Nova Scotia which is 250 acres. They have a small school house at Fitch Bay, Quebec, and they have also church property in the leading cities of Canada. At present the property is all vested in trustees and there is no end of trouble in handling the property as their trustees change from year to year and it makes it very inconvenient and expensive for them to look after

their real estate and causes lots of unnecessary meetings. They have no intention whatever of acquiring land as they have all they need for seminary purposes and will simply require land for church purposes if they take up work in any city or town. Their object is solely a matter of economy of administration and they wish to be in the same position in regard to their real estate as the other churches in Canada.

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

BILL INTRODUCED.

Bill No. 61, An Act to amend the Customs Tariff.—Hon. Mr. Lougheed.

The Senate adjourned until Tuesday, April 4, at eight o'clock.

THE SENATE.

Tuesday, April 4, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

FIRST AND SECOND READINGS.

Bill (H-2), An Act respecting the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. De Veber.

IMPERIAL ORDER DAUGHTERS OF EMPIRE BILL.

THIRD READING POSTPONED.

The Order of the Day being called—Third reading of Bill (Y), An Act to incorporate The Imperial Order Daughters of the Empire.

Hon. Mr. LOUGHEED—I received a telegram—I think it was yesterday—from the President of the Provincial Chapter of Manitoba, asking that this Bill should stand until a letter which is on its way is received by me. I therefore move that the Order of the Day be discharged, and that it be placed on the Orders for to-morrow.

The motion was agreed to.

INSURANCE COMPANY OF CANADA BILL.

THIRD READING.

Hon. Mr. DANDURAND moved the third reading of Bill (R), An Act to incorporate the Insurance Company of Canada, as amended.

Hon. Mr. BEITH.

Hon. Mr. BELCOURT—I was not in the committee, but I can hardly think that the Bill passed with that title.

Hon. Mr. EDWARDS—It was changed in the committee.

Hon. Mr. BELCOURT—But not here.

Hon. Mr. EDWARDS—It was changed to "The Premier Insurance Company of Canada."

Hon. Mr. BOSTOCK—The Bill was introduced under the name of the Insurance Company of Canada, and the name was changed in the committee.

Hon. Mr. LOUGHEED—Hon. gentlemen will find that it appears on the Order Paper "as amended."

Hon. Mr. POWER—Where the Committee recommend that the title of the Bill be changed and the House agrees, then the Bill should be read the third time with the new title.

Hon. Mr. EDWARDS—I think so.

Hon. Mr. LOUGHEED—Then it would be wrong to say "as amended."

Hon. Mr. POWER—The Order paper does not count

The SPEAKER—When a Bill comes from the other House, and is amended here, it should be returned to the House of Commons as amended.

Hon. Mr. POWER—This is our own Bill.

The ASSISTANT CLERK—"An Act to incorporate the Premier Insurance Company of Canada." This Bill is read a third time.

Hon. Mr. LOUGHEED—I suppose the practice should be established in regard to this Bill, and I would like to point out the inconsistency of moving the third reading of the Bill as amended, because the Journals would not show that it had received the previous two readings; consequently, I think the better practice is that the Bill should receive its third reading as first introduced, and the entry should appear in the Minutes "as amended." Otherwise the record would show that the Bill had not received three readings.

Hon. Mr. BELCOURT—If you do that you have your Bill with the original title. You cannot change a Bill after it has passed.

Hon. Sir MACKENZIE BOWELL—The practice has been that if you introduce a

Bill under a particular title, and it is changed in the committee to which it has been referred, and that committee reports the same, and the report is adopted, then the original name does not exist. It should be placed on the Orders for third reading as it was amended in the committee. As the House has adopted the report of the committee, it completely does away with the original name.

Hon. Mr. LOUGHEED—If you refer to the petition which has gone down to the House of Commons for the Bill you will find an entirely different Bill. It is therefore evident when it goes down to the House of Commons that it is an entirely different Bill from the Bill introduced originally.

Hon. Mr. BELCOURT—That often happens.

Hon. Mr. BEIQUE—Then if the course suggested by the hon. gentleman were adopted the Bill would be passed finally without changing the title. It cannot go to the House of Commons except as amended by this House. I think the logical procedure is as indicated by the hon. gentleman from Hastings. It means that the Bill is amended, and one of the amendments is the title of the Bill.

Hon. Mr. BELCOURT—The old title disappears.

The Bill then passed.

THIRD READING.

Bill No. 46, An Act respecting The Algoma Central and Hudson Bay Railway Company.—Hon. Mr. Dandurand.

AGRICULTURAL, INDUSTRIAL AND TRADE DEVELOPMENT.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion of the Hon. Mr. Beique, seconded by the Hon. Mr. Edwards:

(1) That a committee composed of nine members of this House be appointed to inquire alone or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war; such committee to be composed of the following members: The Hon. Messieurs Bolduc, Lougheed, Dandurand, Edwards, Bostock, Ross (Moosejaw), Taylor, Ross (Middleton), and the mover, and to report from time to time to this House; and (2) That a message be sent to the House of Commons inviting that House to appoint a like committee to act jointly with the committee appointed by this House.

Hon. Mr. BOSTOCK—In dealing with this matter the other day, I placed before the House a few remarks about matters that I thought should be brought to the attention of this committee so far as they related to the agricultural interest of this country. I wish to-night to refer to certain points that have occurred to me with regard to the trade position of the country. It has already been stated in the course of the discussion on this motion that when the war is over the manufacturers of this country will, in all probability, have to look to the outside markets of the world more than they have done in the past. We know that during the years from 1900 to 1913 this country was developing at a rapid rate, leading to the building up of a large industrial life, and that the development of the country provided the markets for our manufacturing concerns. But I fear that in the future the chances of our getting into Canada any very large immigration that will help develop this country will not be nearly as great as heretofore, and therefore if our industrial concerns, from one end of the country to the other, are to obtain a market for their output they must find it outside of the Dominion. I should like to give the House some figures in regard to this industrial development. The comparison between the years 1900 and 1910 is as follows:

Industrial comparison, 1900-1910.

	1900	1910	Inc. p.c.
Capital	$446,916,487	$1,247,583,609	179
Industrial Establishments. . ..	14,650	19,218	31
Wages.. . .	89,573,204	197,228,701	120
Materials. .	266 527,858	601,509,018	109
Products. .	481,053,375	1,165,975,639	142

Canada makes 300 varieties of manufactures, sustaining two-fifths of population

Canada's industrial development in the ten-year period of 1900-1910 was greatest on record Ontario led with 8,001 establishments; Quebec, 6,548; Nova Scotia, 1,480; New Brunswick, 1,158; British Columbia, 651; Prince Edward Island, 442; Manitoba, 439; Alberta, 290; and Saskatchewan, 173.

Those figures will give hon. gentlemen some idea of the increase in the industrial development of this country. It has been pointed out that after the war there will be a large market for our industrial products in Russia, where the people have taken up the question of agricultural development, and are trying to improve their conditions and raise the standard of agriculture. They will employ machinery a great deal more

in the cultivation of the soil than heretofore. So that there is probably a very large opening in the near future for the manufacturing industries of this country in Russia. The same thing would apply in the case of Belgium, which, as soon as the war is over, will require a great amount of work to replace the destruction due to the war. But in attempting to find markets abroad, manufacturers of this country will need men who not only understand the conditions of those markets, but also speak the languages of the nations with which they expect to do business. I think that a committee of this kind can do very valuable work in suggesting to the country generally along what lines that kind of education should be conducted. The Government has not so far taken any steps with regard to technical education. In the year 1910 a commission on technical education was appointed, and its report was made to Parliament in the year 1913, but up to the present time I understand that the Government has not taken any steps to act on the recommendation of the commission. The other day Lord Haldane, speaking in England, made these remarks:

> I want to sound a warning of what is in store for us. I am more afraid of an engine for conquest in peace time, which the Germans were busy preparing before the war, than I am of the 42-centimetre guns. This engine is educational. The most modern form of continuation school is extending itself over a large part of Germany, and it is planned to extend it over the whole Empire. It is a work school for imparting trade skill and general knowledge rather than a mere book school and it behooves us to be prepared for the shock of this competition which is coming after the war. Germany is training the youth of the land in special skilled trades, to outdistance competitors throughout the world.

Probably no man knows more about what has been done by the German people in that line than Lord Haldane, who has given great attention to the condition of things in that country; and I think that his recommendation to the English people also applies to Canada—that if they want to be in a position to compete in the markets of the world, they have to do everything that is possible to train skilled workmen for every class of trade. The Technical Education Commission recommended certain lines along which the people of Canada should be instructed. They recommended:

1. Hand training and prevocational education in the common schools after the age of twelve to reveal the bent of the child's ability to itself, to its parents, and to its teacher.

2. Something in the school classes to make boys and girls want to continue at school as long as they can.

3. Some provision in the way of secondary industrial and technical education for those who can continue at school from 12 to 16.

4. Continuation classes to be attended while young people are following some occupation to earn their living.

5. Evening classes for workmen and workwomen.

6. Middle technical schools to which men and women can come back for periods of from six months to two years after they have been working for some years.

This is for the purpose of carrying on the education of children after they have left the schools, and enabling the work people to keep up their education, and further improve themselves, so as to be in a position to compete with the workmen of other countries. They also pointed out that in making their examination as they had been instructed to do by the Government, they found wherever they met the various bodies that they interviewed, that there was a general feeling that technical education had not been carried far enough, and that further efforts should be made in that direction. There is one point about this question that I should like to put before the leader of the Government. In this country the inquiry on technical education was undertaken by the Department of Labour, and the report of the commission was made to the Department of Labour, where it has remained. In most other countries this question of technical education is taken up by the Department of Trade and Commerce, and departments of that nature, and it seems to me that technical education is much more a question for the Department of Trade and Commerce than for the Department of Labour in Canada. A minister who is dealing with questions of commerce and the development of trade throughout the country would be brought more immediately in touch with the industries interested in the training of the people on these technical lines, than a minister who is dealing with the question of labour. Therefore I would suggest to my hon. friend that his committee should make a recommendation along these lines when preparing their report. These are some of the questions with which this Committee should deal, and I think they could be practically worked along these lines.

Hon. Mr. McLENNAN—I should like to occupy the time of the House a few moments largely in endorsing much that has been said by the hon. leader of the Opposition, particularly in relation to the future of Canada. After the war there will be enormous changes. The most hopeful view that can be taken is that it will be a period of readjustment in which there will be great disturbances, and that then we will settle down like the rest of the world to a new condition of affairs, with the prospect of a long peace, and great development. Much stress has been laid in this honourable House and elsewhere on the probabilities, and importance of immigration. To me that does not seem quite as important as the question of effectiveness of the work of the people of Canada. I might illustrate that by referring to the history of the last ten years of the census period, of the province in whose representation in this House I have the honour to form a part. The increase of population in Nova Scotia between 1900 and 1910 was trifling, only some seven per cent. The increase of the products of our manufactures was some 127 per cent. To put it otherwise, the value in 1901 per head of its population was $51.50. In 1911 that per head value had risen to $106, or $107. In other words, the same population was producing in manufacturing articles somewhat more than double what it had produced before. The same thing is true of the farm. The value of the farms in Nova Scotia increased in that same period some 60 per cent, and the value of farm products some 48 per cent, something like $7,000,000. In other words, Nova Scotia was vastly richer per head of population—though the wealth was possibly somewhat unequally divided—at the end of the ten years than at the beginning of the decade. Whether we get a great immigration from Europe, which I rather consider doubtful, or possibly from the United States, desirable though it will be to utilize our transportation facilities and other things with which this country is so lavishly provided, it is less important than increasing the efficiency of our producers, and less important again than the proportion between the people who are directly producing and creating wealth, and those who at best are occupying themselves with subsidiary occupations. However, the point I especially wish to endorse is the necessity of preparation for conditions after the war. Such arrangements, in my view, should be undertaken very shortly to prepare for what we may call the diplomatic relations between this country and the Mother Country. There is no question that those relations will be very much closer and more important than they ever have been; and that Canada will have its share in laying down the basis on which the development, not only of Canada, but of the Empire and its Allies, will be carried out for a term of years. It therefore behooves the Government of Canada, acting for its people, to prepare as carefully and fully as possible to train men to take up that department of public service, who will be familiar with diplomatic business, familiar with the personnel if possible of the people who deal with it on behalf of the Mother Country, and of the other nations with whom we will be brought in contact, and so to speak, speaking the language in which business of that kind is carried on, and familiar with the precedents of the time. If that is not done we will undertake to settle great problems and carry on business of the most vital importance by men who, while they are carrying on that business and establishing these precedents, are only learning their trade. The same thing is also true of commerce. There is no question that Canada will be persona grata with the Allies in her efforts to obtain business in European countries, especially France, Belgium and Russia, which, as the hon. leader of the Opposition remarked, will be a fruitful field for Canadian enterprise. It is therefore of great importance that we should have men trained to deal with such questions, men enlightened as to the possibilities of the mraket. It is not only necessary that the article we are manufacturing should be good and suitable for the market, but the way it is packed and the form in which it is put up are all important. It would be well, therefore, in the interest of Canada that the Government should decide in good time to have a competent staff of men acting under whatever department is thought best, naturally the Department of Trade and Commerce, to meet on equal terms the class of men with whom they would have to deal. It is perhaps perilous at this particular time to speak of munitions. It is a many-sided question, but any one who is at all familiar with the question will admit that in the 16 months or so of the war in which we have been engaged, the manufacturers of Canada have

shown ability to produce with great precision, and ingenuity in dealing with large quantities, and large figures, and they have received a training which they would not have had in ten years of peaceful production. For example, I am told that the rejections of munitions which began with 18 and 20 per cent have sunk to 2, 3 and 4 per cent in a great many cases. That is a valuable asset which can be used to advantage in times of peace, and it will be well for the country if during the period of transition we have a staff of people competent to make that ingenuity and resourcefulness available in the production and distribution of things other than those for which we have a sure market, the products of our fields and farms.

Hon. Mr. MILNE—I should like to say a few words as a manufacturer. I think this committee has a great field for its activity. It is all very well to talk about outside markets in trade and commerce. This proposition means opening up the markets for Canada. I have been in the manufacturing business a long time, and know something about the conditions which exist. One thing we have to consider is that in Britain and other European countries the wages are very much lower than in Canada and the United States, and you have to consider this point, of which probably hon. gentlemen are not aware—although I know it—that the International Union of America controls the labour market of Canada, and hon. gentlemen know that labour is a great item in the expense of manufacture. There are certain lines of manufactures probably, such as agricultural implements, that you could sell to Russia and other countries, but the conditions there are not the same. Labour is so much cheaper in the Old Country than it is in Canada that we cannot compete with them. I would draw your attention to the fact that United States has a population of over 100,000,000. Here we have about 7,000,000. Supposing that we have 8,000,000 —and hon. gentlemen know we have not that —our home market is small compared with that of the United States. They have their 100,000,000 and part of Canada as well. Many millions of manufactured goods that we import from the United States could be made in Canada provided we could get them made. But the United States manufacturers come into this country, compete with us, and drive us almost out of our own market. They can do that very well, because in making the large amount of goods which they manufacture, they can do it more cheaply, and can keep the prices right. If they can only get enough money from Canada to keep the men and factories going, they will prosper. A little while ago there was a lot of talk about using Canadian manufactured goods. I am very sorry to say that a great many people think goods produced in the United States are better than those produced in Canada; therefore they buy many articles produced in the United States. A great many farmers coming in to our country from the United States think the American article is better than the Canadian, and give a little more for it. In the West we compete with the United States firms, and I am sorry to say we have sold goods almost at cost. The conditions in the West are pretty hard for us in our particular line. For instance, from Chicago to Winnipeg the freight on a stove weighing 400 lbs. is 50c per hundred lbs. That is nearly $2. From my town we pay nearly $1 per hundred, which brings the freight up to $4, giving them an advantage of $2 over us. We know that the money which goes from Canada into the United States never comes back. We never see it again. We are only adding to their wealth and depleting our own. I think it would be well for the committee to study that question.

The immigration question is going to be a very serious one. When this war ceases the United States will not be making as much money as they are doing to-day, and they will come into our markets, as they always do when there is a depression in their own, and will slaughter their goods in Canada. I know the facts and apart from the shell-making I do not think there is a manufacturer who is making any money at all. In the last two or three years we have not been making a cent. It would not do to say that, because people would not believe you; but it is the war that has enabled manufacturers to make some money out of producing war material. I feel it my duty to say a few words to you as a manufacturer knowing the conditions that exist, and the committee must consider the whole question as to how we are going to protect our own factories. We will have to meet the competition of the Americans who will be looking for markets everywhere, and will be in a better position than ourselves because they specialize, whereas we have to make two or three things to try and keep our end up. I

agree with the hon. gentleman who said that we ought to do everything we can for the farmer; but I say that this Government is doing that now and loading it on to the manufacturers. Take the war stamp, we have to put a stamp on every letter, every note, every cheque, everything we put out in our factory, and probably that tax amounts to $2 or $3 a day, whereas the farmers pay very little beyond postage on their letters. The manufacturers and the mercantile community pay the whole. In the Budget that Sir Thomas White brought down the other day, the farmers are not taxed one cent. They have a little protection on their apples, but the manufacturers have to pay it all, and they are the fellows that have to suffer all the time. The fact is this, that when that committee meets, I want them, with the information I am giving them, to study this question, and just try and even the thing up. It is all well enough to talk about immigration, but we will not get immigration for a long time except from the United States, which is not as good to us as the European immigration, because they bring nearly everything into Canada from their own country when they come, whereas, the Europeans who come have to get everything, and they look to Parliament to set them up in business. Of course the farmers are all right; we couldn't do without them, but there are others in the country besides farmers, and they must have their interests looked to a little bit. I believe that in the population of the United States about 40 per cent are farmers and about 60 per cent manufacturers. The farmers in the United States have all made well, and the country has made well, and their policy seems to work out well for the whole population.

Hon. Mr. LOUGHEED—I move the adjournment of the debate until to-morrow.

The motion was agreed to.

SUPERIOR COURTS OF SASKATCHEWAN BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (68), An Act relating to the Superior Courts of Saskatchewan, and to amend the Judges Act.

He said: This Bill makes provision for the salaries of certain judges who must necessarily be appointed under legislation that has been passed by the province of Saskatchewan. It has been enacted by the Saskatchewan Legislature that the Supreme Court of Saskatchewan shall disappear and that hereafter there shall be two courts, viz., the Court of King's Bench and the Court of Appeal. This legislation comes into operation by proclamation of the Lieutenant Governor in Council. In anticipation of that Order in Council coming into effect at whatsoever time in the discretion of the Saskatchewan Government they may proclaim it, it is desirable to place upon our statute book the necessary provision for the payment of the judges who will constitute the Court of Appeal. This Bill accordingly makes provision therefor.

Hon. Mr. POWER—I do not rise for the purpose of opposing the second reading of the Bill, but just to suggest that perhaps the leader of the House was slightly in error when he said it became necessary for this Parliament to provide for the salaries of those judges as the local legislature had provided for the creation of the judgeships. I do not think that statement is quite accurate, because the hon. gentleman probably feels in his inmost heart that the local Government will not bring their Act into operation until we make provision for the payment of the judges.

Hon. Mr. LOUGHEED—Yes, that is true.

Hon. Mr. POWER—I have no doubt that the hon. gentleman will be prepared to furnish statistics when we go into committee to show that we have at the present time in the province of Saskatchewan a judicial corps which is quite large enough to handle all the judicial business which is to be done in that province; and it seems to me that at a time like this, when those in authority are trying to impress upon all the people of Canada the desirability of being very economical, we should not undertake to appoint unnecessary judges and pay additional salaries for work that is not really necessary.

Hon. Mr. LOUGHEED—It is scarcely necessary to point out, in answer to what my hon. friend from Halifax has said, that unfortunately under our constitution we have very little to say about the matter. As my hon. friend knows, the British North America Act makes provision for the provinces to exercise their discretion as to the judicial machinery that they may consider necessary, and the Government of Canada is called upon to make the necessary finan-

cial provision to give effect to their legislation. It seems to me rather unfortunate that the authority is divided in that way. However, I suppose upon a final analysis of the situation the provinces themselves should be in a better position than the Federal Government to determine what judicial machinery is necessary for their requirements. However, the British North America Act so provides, and throws upon this Government the necessity of making the necessary financial provision, and that is what we are now doing.

Hon. Mr. POWER—We are all likely to take liberal views of things when somebody else pays the bill.

Hon. Mr. LOUGHEED—Yes, that is true.

Hon. Mr. BOSTOCK—I do not rise to oppose this Bill, because, as the leader of the Government says, the Government is pretty well forced to bring this Bill before Parliament; but in connection with this matter, I should like to ask the leader of the Government what has become of the commission, or committee, that was appointed some years ago for the purpose of considering the question of the county court judges?

Hon. Mr. LOUGHEED—What was that?

Hon. Mr. BOSTOCK—I understood it was a commission, or committee, to deal with the question of salaries of county court judges all through the Dominion of Canada, appointed some time ago, and I never heard that any action was taken in regard to the matter.

Hon. Mr. LOUGHEED—I do not recall it.

Hon. Mr. BOSTOCK—It has always seemed to me that with regard to county court judges, especially in certain parts of the country, the remuneration they receive is not adequate to the duties they have to perform. I quite understand that some county court judges throughout the Dominion get a salary that is a good deal more, probably, than the work that they have to do is worth; but in certain cases the county court judges are very much underpaid, and it seems a hardship and a difficulty to get good men to perform the duties of county court judges. In the section of the Judges' Act, section 33 of chapter 138 says that:

> No judge of the Supreme Court of Canada or of the Exchequer Court of Canada, or of any Superior or County Court in Canada, shall, either directly, or indirectly as director or manager of any corporation, company or firm, or in any other manner whatever, for himself or others engage in any occupation or business other than his judicial duties; but every such judge shall devote himself exclusively to such judicial duties.

Therefore, we expect every man, when he is appointed a county court judge, to confine himself to his judicial duties, and I do not think the salary that is paid at the present time is adequate in a large number of cases.

Hon. Mr. LOUGHEED—Unfortunately, owing to uncontrollable conditions, uniformity of salary has to be adopted by the Parliament of Canada in the payment of judges. If the same discretion could be exercised in the payment of judges that business corporations exercise with reference to their employees we could pay judges in accordance with the work they perform. There are some judges, at least judges occupying judicial positions in large centres, who are overworked and inadequately paid, who are entitled to a very much larger allowance than they receive; and there are other judges, occupying corresponding positions in less busy districts, who receive the same salary, and thus we might say are overpaid. But I fancy that it would be utterly impossible to put legislation through Parliament leaving it discretionary with the Department of Justice, or with the appointing power, to pay judges in proportion to the work which they do. As to the county court judges, of course, they are not paid salaries as large as the Superior Court judges; but if we are to judge of the adequacy of the salary by the number of applications, or the number of gentlemen who are willing to accept vacancies that may arise from time to time, the Government would be justified in assuming the position taken by some that the salary is adequate to the labours performed. There never has been, I may say, within my knowledge a very great dearth of applications for vacancies that arise from time to time. The Government has been able, by a fair amount of industry, to induce gentlemen to go upon the bench for the salaries which have been already provided—I am now speaking of county court judges—but in all seriousness the pay of judges is not proportionate to that of other professions. There is no doubt that the great majority of judges who accept those positions would make very considerably more at the bar; on the other hand,

there is this to be considered, that a very liberal allowance is made by way of superannuation, and there is the assurance of continued emolument during the life time of the occupant of the office. However, it has been a very controversial subject and one which has been discussed from Confederation down to the present time, and it seems to me that we are no nearer a solution of the difficulty as to the inadequacy of judges' salaries to-day than were those who preceded us 25 or 30 years ago. However, we seem to have fallen into a rut of fixing salaries on a preconceived scale, from which we have not departed for some years, and until there is an upheaval in the public mind that judges should be more largely paid than they are it appears to me that judges' salaries will remain as we find them to-day on the statute-book.

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

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

THE SENATE.

Wednesday, April 5, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

PROHIBITION AND THE FRENCH TREATY.

INQUIRY.

The notice of inquiry being called.

Hon. Mr. DANIEL will inquire:

1. Will the "Act in aid of Provincial Legislation prohibiting or restricting the sale or use of intoxicating liquors," if passed, necessitate the abrogating of the French Treaty of 1908, in whole or in part?
2. If such abrogation is unnecessary, will it be on account of the first or second clause of Article X applying?

Hon. Mr. LOUGHEED—No. The French Convention of 1908 contains nothing to bind the Dominion Government not to prohibit the importation of articles mentioned therein so long as the prohibition applies to all countries equally.

THIRD READINGS.

Bill No. 6, An Act to confirm certain agreements made between the Canadian Northern Ontario Railway Company, the Canadian Northern Railway Company, and the Canadian Pacific Railway Company.—Hon. Mr. Watson.

Bill No. 26, An Act to enable the Corporation of the City of Brantford to own and operate the Grand Valley Railway.—Hon. Mr. McCall.

CUSTOMS TARIFF AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 61, An Act to amend the Customs Tariff, 1907.

He said: The object of this Bill is to amend the Customs Tariff with respect to three items. One has as its object an increase of 50 cents a barrel on apples. I might say that representations have been made, not only from British Columbia, but from the province of Ontario, as to the desirability of increasing the tariff upon apples so as to promote the orchard industry and make it more profitable than it has been.

Hon. Mr. McSWEENEY—To eat apples.

Hon. Mr. LOUGHEED—Evidence that has been submitted to the Government has established fairly conclusively that the apple producers, both of Ontario and British Columbia, have been producing apples at a loss. The evidence taken of the cost of producing apples in the province of British Columbia, which apples come into competition in Canada with those produced in the Western States, particularly the Pacific States, Oregon and Washington, establishes that the labours of the British Columbia producer have been going for naught, and that very serious losses have thereby been sustained in that province. The increase of tariff necessary to stimulate the production of apples is comparatively small, and the Government has, therefore, felt justified in bringing down to Parliament an increase to the extent indicated in the Bill now before us for our consideration. There is an item also increasing the duty upon fuel oil. Under what was known as the War Revenue Act of 1915, a duty was placed upon oil of 5 per cent under the preferential tariff and 7½ per cent under the intermediate and general tariff. It is now proposed that a duty shall be placed upon item 267, reading:

Oils, petroleum (not including crude petroleum imported to be refined or illuminating or lubricating oils), ·8235 specific gravity or heavier at 60 degrees temperature, per gallon.

British preference tariff ⅛ cent, intermediate tariff ¼ cent, general tariff ½ cent.

This oil, as crude oil and in addition the residue of other crude or petroleum oil, after undergoing refining is that covered by the item. This oil, as well as the residue of certain other crude oil is used for fuel purposes by railways, manufacturers, and by transportation companies such as steamship companies, etc. The other item, 267-a, really is a reduction in the tariff. That applies to a class of oil which enters into use in traction engines and in that class of motive power which is so largely used for agricultural purposes throughout the West. It is estimated that to the agricultural community of the Northwest particularly it will effect a saving of about $25,000. While the Government are, therefore, placing a very slightly increased tariff upon the cruder fuel oils, those used by large manufacturing companies, they are reducing the tariff on that class of oil which enters into the consumption of the agriculturist. Under those circumstances, as I have already said, Parliament feels itself justified, owing to the representations that have been made from many sources, and the necessity of the moment for increasing our revenue to meet the increased expenditure due to the war, to introduce this legislation.

Hon. Mr. BOSTOCK—My hon. friend has referred to this Bill as a means of increasing the revenue of the country. With regard to the first item mentioned in the Bill, the increased duty on apples, I understand it is mainly for the purpose of assisting the apple growers throughout the Dominion, and probably in British Columbia more especially, rather than for the purpose of increasing the revenue.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BOSTOCK—My hon. friend has referred to the apple grower as not having made any large amount of money of late years. I admit that they have not been making a fortune, but I do not know that the apple grower has done very much worse than people in other businesses throughout the country. The position, as I understand it, is that apple growing and the placing of apples on the market is an industry that requires organization and a considerable amount of skill in dealing with the distribution of the product, and it takes a long time before a district has a sufficient quantity of apples to be able to distribute them in really an economical manner. The apple industry, of the West, especially, has had considerable experience of hard times, but I do not consider that this duty is going to relieve the apple grower to the extent that my hon. friend probably thinks. There are other questions in connection with the distribution of apples and the placing of them in markets that will very materially affect the whole situation. The duty that the Government proposes to put on apples, is almost one might say, a prohibitive duty. It will amount to something like 30 cents a box, or 90 cents a barrel.

Hon. Mr. LOUGHEED—We are not imposing that amount of duty; we are increasing it to that amount. The present rate is 40 cents.

Hon. Mr. BOSTOCK—Before it was 40 cents a barrel; now it is 90 cents. It is an increase of over 100 per cent. At the last election the promise was made in British Columbia by the present Minister of Agriculture, that if successful in carrying his constituency, he would see that the duty on apples coming into British Columbia was placed at the same standard rate of duty as the rate on apples going into the United States. Since that time the duty on apples going into the United States has been reduced rather than increased, and therefore at the present moment we are increasing the duties on apples coming into Canada, while the people of the United States have lowered their duty. In the United States tariff other reductions have been made which are very valuable to this country and have materially helped our industries, and we are showing our appreciation of those concessions by increasing very highly the duty on apples coming into Canada. It has been said that the American grower has been in the habit of dumping apples into Canada at prices considerably below their real market value. I have a few figures showing the prices at which apples have been invoiced from American ports for the purpose of shipment to Canada. In the year 1914-15 apples were invoiced at Winatchee at 55 cents a box; at Seattle on November 25, 1914, they were invoiced at 35 cents a box.

Hon. Sir MACKENZIE BOWELL—How much does a box contain?

Hon. Mr. BOSTOCK—A box contains 40 pounds of apples; they usually reckon three

boxes of apples to a barrel. On the same day 27 boxes of apples were invoiced at Seattle at 40 cents a box. Ninety-one boxes at 51 cents a box; 7 boxes at 45 cents a box. Then last year, on November 16, 615 boxes of apples were invoiced at Seattle for 90 cents a box. Now the contention is made that by putting on this duty the grower will receive a remunerative price for his fruit, but the fact that the increase of duty is not going to raise the price to the consumer would show that the change of the duty will not very materially help the grower. We know that there has been a great over-production of apples, and therefore the grower need not expect to get any better prices for his apples under this increased tariff. It may increase the cost to the person buying apples in Vancouver or at the coast, because it will probably have the effect of keeping American apples out of British Columbia. The question of transportation will very materially affect the question of the price of apples in the Northwest. With regard to the position of the grower of apples in British Columbia, last year they shipped from Okanagan district 30,000 boxes of apples for Australia; and talking to a grower of apples the other day from that part of the country he told me that they had orders to ship 40,000 boxes of apples to Australia this coming season. I do not see how the duty on apples coming into this country is going to help the grower in getting a price for apples in Australia. The same thing applies to South Africa. Last year they shipped 11,000 boxes of apples to South Africa, and I understand that that market opened up very satisfactorily, so that the opportunity of increasing the business between this country and South Africa with apples, provided they can get proper transportation, is very hopeful. I do not, therefore, appreciate the object of the Government at this time in increasing the duty on apples coming into this country, which, of course, is a policy that is open to a considerable amount of discussion.

With regard to the duty on oil, my hon. friend to my right (Hon. Mr. Edwards) and I, co-operating with gentlemen interested in the Forestry Association, have urged upon the railway companies the necessity of taking precautions to prevent forest fires. The Railway Commission and other bodies connected with the Government have also aided, with the result that the railways have altered their locomotives so as to use oil as a fuel to a very large extent on their lines. Having gone to the expense and trouble of making their locomotives oil-burning engines, and providing other appliances for the using of oil instead of coal, the Government now comes down and imposes an increased duty on oil. Some time ago a petition was presented to the premier of British Columbia by a large number of firms in that province, opposing the agitation which was then being carried on to have a duty placed on crude oil imported into Canada. In that petition they pointed out that the use of crude oil in the place of coal had enabled manufacturers in British Columbia to develop their industries to an extent which would have been impossible had they been compelled to continue to use coal. I understand that that petition was forwarded to the Government here, and they know the large number of firms interested in this matter, and understand their anxiety that no duty should be placed on oils used for fuel purposes. These manufacturers will, of course, be perfectly ready to pay a duty if it is required to increase the revenue of the country, and provide money for the purpose of carrying on this war, but otherwise I think they are justified in feeling that they have not been very fairly used in having a duty placed on oil in this way after they have been, in certain instances, as in the case of transportation companies, almost forced to adopt oil as a fuel, in order that the forests of this country might not be endangered.

Hon. Mr. DAVIS—I desire to say a word with reference to this change in the tariff. It strikes me as very strange that the fruit growers of this country can get the ear of the Government and have changes made in the tariff to suit themselves, while the wheat growers in the big provinces of the West, who produce dollars where the apple growers produce cents, cannot get a hearing. My hon. friends are aware that the wheat growers of the West have been after the Government for several years endeavouring to have the duty taken off wheat. They demand a free market; they do not want protection, but the Government will not listen to them, notwithstanding the fact that they are producing the wealth of the coutnry. The Government may obtain a little revenue out of this duty, but it is merely a drop in the bucket. With regard to apples coming from the United States, everybody knows that apples mature a great deal earlier south of the international boundary than they do in this country, and in the beginning of the season we

are bound to get large quantities of apples from the United States, on which the Government may collect a small revenue. But the people who buy the apples from British Columbia, particularly in the West, are forced to pay 50 cents a barrel more for apples, for the benefit of the apple growers. I cannot understand why they should be compelled to do that. It is not right. I understand the bulk of the apples grown in British Columbia are consumed on the prairies, and you are merely placing a tax on the people of the western provinces for the benefit of those people in British Columbia. Considering the wide range of articles in the tariff, it seems ridiculous that the Government should place a duty on apples and crude oil alone. It has been suggested that this legislation is designed to assist Mr. Bowser in British Columbia. I do not know whether that is true, but I do not see any sense in these new duties. What do the Government propose to do? How much revenue do they expect to get out of it? It cannot amount to anything. We have to pay an enormous freight on apples. A man in the East can buy a barrel of apples for $1.50 or $2 in the fall of the year, but we cannot get the same grade and variety of apples for less than $4 or $5. It is a foolish policy on the part of the British Columbia people to ask for this protection, if they want to create a market, because the lower you keep the price of apples the larger your market will be. If a man can buy apples for $3 he will purchase three or four barrels, but if he has to pay $5 he will not buy more than one barrel. I do not see how the people of British Columbia are going to benefit by this. I am opposed to the increased duty upon apples and oil for the reasons given by the hon. leader of the Opposition. It is very strange that in the West they have to pay 25 cents a gallon for gasolene for traction purposes, while on the other side of the line the price is 15 cents to 18 cents. There are certain restrictions on the importation of gasolene. It has to stand a certain test. But that class of gasolene is used successfully by the people on the other side, not only in their motors, but in their traction engines, and why we should not obtain it at a cheaper rate in Canada I do not understand. If the Government had left the duty on apples unchanged, it would please the people in our country. It is a peculiar state of affairs that the people of the country have to face at the present time, that a small class can get whatever legislation they want, while a large class, producing two-thirds of the wealth of the country, cannot get the ear of the Government.

Hon. Mr. WATSON—I desire to add my protest against this legislation, particularly in regard to apples. I fully agree with the hon. gentleman from Prince Albert, that Manitoba, Saskatchewan and Alberta are the provinces which suffer by the increase of the duty on apples. We have had our fruit growers trying to educate the people of Canada to eat more apples, because they say they are very wholesome. I believe that that is so, and it is therefore, a crime to place a tax upon apples. They should be made as free as possible, and sold at the lowest possible price. The fruit growers of the far distant regions in British Columbia, who, apparently, have asked for this legislation, are hundreds of miles from the consumers on the prairie, and they are asking for protection to force the people of Alberta, Saskatchewan and Manitoba to eat Canadian apples and keep out United States apples. If this paternal Government would see that the railways carry these apples at a lower rate by 50 cents a barrel than is charged at the present time, we could use more of them. The consumer of apples, the ordinary farmer, or townsman with a family cannot afford the present high prices of fruit. A dollar a barrel will make a difference between a man buying half a dozen barrels, or two or three barrels in the fall. He may consider apples at $4 a barrel cheap, but at $5 expensive and refuse to buy them. I think the Government is making a great mistake. The leader of the Government tells us that on account of the present war the Minister of Finance has to change the tariff, yet the only change is to add 50 cents a barrel to the tax on apples and half a cent a gallon on the fuel oil, and the revenue from these two items is to supply the deficit. It seems ridiculous to come before the people with a change of tariff of that description. If they want to collect money to pay the expenses of the war, they should impose an income tax or something of that kind. It would be much preferable. I have no objection to the tax on oil. The chances are that the people who are using that oil can afford to pay it. I understand the only oil affected by the tariff is the oil used by the railways. It is an oil which is good for nothing else

but fuel. It cannot be disputed that the Okanagan apple growers shipped a lot of apples to Australia and South Africa last year and that should be sufficient guarantee that they do not require protection. In my judgment apples should be on the free list, and people should be encouraged to eat apples freely. The fruit growers should be encouraged in every reasonable way, and one way would be to reduce the freight rate charged by the railways.

Hon. Mr. BEIQUE—I do not take exception to the increased duty on apples, but as regards oils and petroleum, I desire to call attention to the fact there exists between the different oil companies or dealers in oil and petroleum a real combine, and so long as that combine continues, I do not think it is fair to protect them further than they are protected at the present time. The combine is so strict that it extends to this, that no ordinary consumer—I know it is the case in Montreal—is able to procure crude oil. I happen to have an engine on my farm which may be run either by gasolene, or by means of crude oil, and for the last two or three years it has been impossible to procure crude oil. I have had to run the engine with oil used for lighting purposes, which is expensive, and this on account of the combine which exists between the dealers in oil. I think the Government should, before granting an increase, inquire as to the state of things to which I draw the attention of the House, and see that this combine is not continued, and that they ought not to be protected as provided in this Bill.

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

PROMOTION OF AGRICULTURAL, INDUSTRIAL AND TRADE DEVELOPMENT.

DEBATE CONTINUED.

The Order of the Day being called.

Resuming the further adjourned debate on the motion of the Hon. Mr. Béique, seconded by the Hon. Mr. Edwards:

(1) That a committee composed of nine members of this House be appointed to inquire alone or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war; such committee to be composed of the following members: the Hon. Messieurs Bolduc, Lougheed, Dandurand, Edwards, Bostock, Ross (Moosejaw), Taylor, Ross (Middleton), and the mover, and to report from time to time to this House; and (2) that a message be sent to the House of Commons inviting that House to appoint a like committee to act jointly with the committee appointed by this House.

Hon. Mr. LOUGHEED—I hesitate to occupy the time of the House in making any observations upon a subject that has been so thoroughly and exhaustively discussed by many hon. gentlemen in a most interesting way. I however, cannot fail to express my appreciation to my hon. friend from De Salaberry, who has moved the motion, and also of the interest which has been taken in this subject, more particularly in view of the fact that my name has been associated with the Economic Commission which has recently been appointed by the Government to make an inquiry or investigation into practically the same subjects embraced within the motion now under consideration. I know that there is a very great deal of skepticism when it is mooted in public places that a commission is about to be appointed to inquire into subjects such as those now under consideration, or that a committee is about to investigate such cognate subjects. But notwithstanding the criticisms to which such committees and such commissions are subjected by the public and the press from time to time, and the doubt which is so frequently expressed as to whether any good will come out of the time spent and inquiry made, yet it seems to me it is always a step in the direction of progress and an evidence that at least the public mind desires information upon the subjects which may be involved in such investigation. Such committees naturally find it difficult to accomplish anything of a well defined or concrete order in the investigation which they make. The work of such commissions is invariably educative. It cannot be more than educational. It gives evidence of an inquiring mind on the part of the individual or of the deliberative assembly that may select such committee to make the inquiry. It has the result of creating more or less curiosity in the public minds as to what may be said upon the subject. It in fact gives something for people to think about; it promotes ideas, and after all, the activities of life have as their foundation the germ of an idea, and I do not know anything more productive of the creation of ideas than the work of committees and commissions that are appointed from time to time to thoroughly investigate pub-

lic questions of this character. Now if this committee, composed as it will be of members of both branches of Parliament, can assist in any way by their voice or by the ascertainment of the views of those who may appear before them from time to time, or by research through the various channels of information to which they will have access give an impetus to public thought upon the various questions which are embodied or involved in the motion, I say that a public service to the Dominion will have been accomplished. As to the Economic Commission appointed by the Government of Canada to practically cover the same ground as that which my hon. friend proposed to cover by his motion, I might say that that commission will welcome assistance from such a joint committee, or from any other source, and the results of any investigation which that commission has already made would be gladly placed at the disposal of this joint committee for the purpose of promoting the end which they have in view. I may say that, being closely associated with that commission, I have been able to form some conception of the difficulty which faces an intelligent inquiry into the many questions which are now before us. In Canada we are behind nearly all the other nations, particularly of Europe, and more especially of the United States, in thoroughly investigating subjects of this kind. One of the chief difficulties which has confronted the Economic Commission in prosecuting its inquiry has been the difficulty of securing experts or specialists who have given their time, and made a profession of studying those various subjects. We in Canada do not follow scientifically the working out of these great problems as do other nations. We live more or less in a state of promiscuous action. The various important interests of Canada rely almost absolutely on the Government of Canada to assume the responsibility of working out those problems for them. I find—and I fancy every hon. gentleman who has given any thought to the subject has found—an absence of co-operation and of co-ordination on the part of the various interests of the Dominion as well as the various parts of the Dominion represented by the provinces of Canada in co-ordinating their methods of investigation and their labours with the Federal Government in the channels of research in which they may be engaged. The responsibility is invariably thrown upon the Dominion Government of taking action. A mile of railway can scarcely be built in the Dominion of Canada except the promoters of that railway approach the Government of Canada and ask that it be given a subsidy, and ask practically that it be paid for out of the Dominion exchequer.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. LOUGHEED—Scarcely an industry can be established but the promoters of that industry require from the Dominion Government either a subsidy or the imposition of bounties, that that industry may be established successfully. There seems to be an absence of confidence in our individual ability and effort to make successful the various activities which go to make up a nation. The consequence is that the Dominion Government not only to-day, but ever since Confederation, has had to face the importunities and the pressure of promoters of great and small enterprises to assist them in the carrying out of those enterprises. The difficulty has been that there has been paid out of the public exchequer an enormous amount of money, an amount that almost overwhelms the mind when you endeavour to conceive what it represents, to have established the various systems of transportations, and the various industrial activities which to-day go to make up the Dominion of Canada. Now it seems to me that we have reached a point in the history of this Dominion when our resources, when our possibilities, when that which we possess within ourselves should appeal sufficiently to the enterprise, the energy and the activity of our people to place our industries upon a foundation that need not necessarily be supported by the Government and thus be permeated throughout every branch with the paternalism now exhibited on all sides.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. LOUGHEED—In other words, it seems to me there is an absence of national spirit in Canada. We have institutions in Canada of which we are proud. We have probably the most magnificent transportation systems in America; we have some of the largest financial institutions upon the continent; we have magnificent industrial institutions which would be a credit to any country, yet they are inclined to lean more or less on the Government. This Dominion is divided into different provinces and yet we find no unification be-

tween all those entities as to building up a national spirit and national progress as a national whole. Each province being more or less a law to itself, is little concerned about the other provinces of Canada, is only concerned with that which takes place within its own boundaries; and not interested in that large national and broad patriotic spirit which should characterize every province and every part of the Dominion in building up one unified nation. We find the great financial institutions of Canada, interested truly in building up their institutions; that is a commendable thing in itself, and something upon which they may be felicitated. It is a pride to the Dominion of Canada that our financial institutions are so large and possess the strength of which they give evidence; yet we do not find on the part of the banks, the industrial institutions, the great transportation companies, any spirit of unification in building up the Dominion of Canada. This would be to the interest of each entity, that we might thus become a progressive whole. That is a difficulty which I think will confront every commission and every committee of inquiry that may take into consideration the promotion of those great subjects with which we have to deal. I may take a visionary view of the subject, but it seems not unreasonable to suppose that the great interests of this Dominion should feel so patriotically and nationally inclined as to come together by one means or another and ask themselves the question, "In what way can we assist in building up, on the foundations which already have been laid of a progressive and successful nation?" That is something at which I think we should aim. The agricultural interests we find only too frequently arrayed more or less against the other interests of the Dominion. I heard hon. gentlemen on the other side of the House, in discussing this question, speak of the agricultural interests being sacrificed to promote the manufacturing interests. I have heard gentlemen who represent the manufacturing interests of the Dominion express themselves strongly, as if the agricultural interests were absorbing the whole attention of the Dominion Government to the sacrifice and the exclusion of the manufacturing interests.

Hon. Mr. DAVIS—That is a joke.

Hon. Mr. LOUGHEED—I have heard the financial interests mourn over the fact that the Dominion Government were giving little or no attention to the interests which they represented, and so on. Now, that spirit should not permeate the great interests of this Dominion. There is no reason why they should not be as united as the Parliament of Canada in considering how there can be unification of all the interests of the Dominion in promoting one progressive whole. There are many other subjects involved in the motion of my hon. friend which I do not propose to discuss. Time is too short for me to enter upon any discussion such as that involved in the promotion of our agricultural interests, of our trade and commerce, of our financial interests, and all the other cognate subjects which must necessarily enter into a proper consideration of the subject. But by way of pointing out to hon. gentlemen one of the difficulties which must necessarily confront us in dealing with this subject, let me point out one fact for the purpose of establishing to some extent the apparent futility of the efforts which we have been making in the past to build up the national interests of Canada. Shortly after Confederation, (when the Dominion of Canada acquired Rupert's Land), and from that time down to the present, we have alienated no less than 120,000,000 of acres of land within those three provinces—Manitoba, Saskatchewan and Alberta. We have alienated that quantity of land for the purpose of settling those prairies, of developing the natural resources of which we were the owners and which to-day contribute so largely to the prosperity of Canada. We gave practically 60,000,000 acres of those lands to the railway companies, to colonization companies, and to other institutions by way of assistance to develop the natural resources of that western country; and we have alienated one-half, viz., 60,000,000 acres of those lands to settlers by way of homesteads and pre-emptions. Now, hon. gentlemen, notwithstanding the fact of our having alienated all those magnificent arable lands in those three western provinces we last year exceeded all records in the way of cultivation and production, though we only cultivated 20,000,000 acres of those lands; that would be one-sixth of the entire area alienated. I need not point out to hon. gentlemen here the Herculean efforts that the Government of Canada have made since Confederation to settle these western prairies; and yet, notwithstanding our efforts, only one-sixth

of those lands which we have alienated was under cultivation during the year 1915. That illustrates one of the difficulties with which we are faced of securing immigration of a desirable character to settle and colonize our lands. There is another very important question that this committee will have to take into consideration, and that is the question of immigration. Without immigration we cannot settle our lands. The question of immigration and colonization are so interlocked that there is no use of discussing one without the other. We have advocated from time to time the promotion of immigration from the British Isles, so that we might thus secure a class of settlers more desirable than it was thought we could obtain from any other country. I will not say the Dominion of Canada has exhausted immigration from the British Isles, but I might say that the agriculturist from the British Isles is scarcely available any longer as an immigrant. I understand from very good authority that to-day there are not more than 300,000 families in the United Kingdom engaged in agriculture—a number which is entirely inadequate for meeting the requirements of the United Kingdom, and from which in the future we cannot expect to draw our immigration—There is the question to be considered by Canada from what channels we shall draw our immigration. There are many economic considerations that must enter into a proper dealing with this particular subject. We have no desire to make this an alien country, and yet at the same time we have to go into alien countries for the purpose of procuring immigrants to settle our many millions of acres of land throughout the length and breadth of Canada, and more particularly in the Prairie Provinces. The question arises as to our being able to assimilate to our civilization and to our political conditions those aliens whom we must bring into Canada if we are to settle up this Dominion. Those are economic problems that are difficult to solve, that cannot be solved superficially, that must or should be dealt with by those who have given the best part of their lives to the study of those very important questions. That is a problem that should receive the very best consideration and thought at the hands of this committee. I was particularly struck, when my hon. friend from De Salaberry introduced this motion, by the difficulty which must necessarily face Parliament and the public in dealing with these questions on account of the conflicting views which are voiced by different persons. My hon. friend from De Salaberry grew quite optimistic as to what the future of Canada must necessarily be immediately after the war. In fact, it was one of the first occasions on which I saw my hon. friend from De Salaberry become thoroughly enthusiastic in his prognostications of the prosperity to follow the cessation of war and the declaration of peace; and I must say, as one having some interests in the West, that at once I grew quite hopeful, and advanced the values of my various interests as I listened to him. But when my hon. friend from Ottawa rose to second the motion, and pointed out the dire disasters that must necessarily follow the development of Canada immediately after the war, I must say that my spirits and my hopes and optimism disappeared entirely. That is one of the difficulties that we are called upon to face. Hon. gentlemen occupying very important positions in the commercial and financial world view this subject from entirely different standpoints. One urges upon the Government the necessity of preparedness to meet an unprecedented wave of prosperity; and then some other gentleman of equal standing, on whose judgment we would rely quite as much as that of the other, points out that there is no necessity for taking any steps; that the only preparedness we will have to make will be to meet disaster. Consequently, we are up against this peculiar difficulty, and I certainly cannot fail to feel some curiosity as to the prophetic predictions upon that very important phase, and as to what the finding of the committee will be. There is another view of the situation which one should not overlook, and that is the unprecedented prosperity of our neighbour the United States, whose economic, climatic, racial and social conditions, are practically the same as our own, and whose prosperity during the last century has no parallel in history. When one considers that a century ago the population of the United States was approximately the same as that of Canada to-day, while Europe, from which it drew its population, would not represent one-third of the population of the Europe of to-day; that there was an absence of transportation facilities and an absence of publicity; that the people of Europe who went to the United States in the early part of last century, knew practically nothing of the

country into which they were going or the fate which awaited them; and that notwithstanding all those difficulties to-day the United States has a population of 100,000,000. On the other hand we have a country equally attractive physically and climatically, with natural resources and possibilities in my judgment excelling those of the United States, I say we have every reason for being hopeful. Considering the fact that the population of Europe is fully two-thirds more than it was a century ago, that our transportation facilities almost transcend human conception, enabling people to reach their destinations with speed and comfort, and to acquaint themselves with the possibilities of Canada and the prosperity which awaits them here, we thus have every ground upon which to build up our optimism that the future of Canada is wrapped up in the greatest measure of prosperity and progress. I have no intention of occupying your time further except to say that I am very glad that my hon. friend has moved for the organization of this committee, and to assure him and to assure the House that the information which the Economic and Development Commission has obtained through various sources since its organization we shall be only too glad to place at the disposal of this committee.

General the Hon. Mr. MASON—I should like to draw the attention of this honourable House and of the committee to one branch of industry not referred to in the motion, but which yet is so connected with it that it cannot be overlooked. I refer to ocean transportation. It is generally conceded that next to the war itself nothing is looked upon, not only by the nations at war but by the neutral powers, as more important than the problem how we will make good the terrible loss and waste caused by the war, restore things to their normal condition, and prepare to carry the terrible burdens of war debt imposed upon nearly all the powers of the world. Nations are now preparing in that way, and we are told by the hon. gentleman from De Salaberry, when introducing his motion, that a conference has recently been held in London representing the Empire, at which were present possibly 1,000 delegates. From the proceedings of that conference it might be inferred that the policy of Great Britain in regard to free trade was somewhat altered and that probably there would be introduced, or encouraged, preferential trade within the Empire. That would seem to me to be Canada's opportunity. We have here in the Dominion great national wealth, great natural resources, and I think nothing would tend so much to the development of those resources as preferential trade within the Empire, and also the making of arrangements with the allied powers in trade matters. Nobody at present knows when peace will be declared; all that we do know is that the allied powers have decided among themselves what their terms will be. Those terms provide for large indemnities to restore, among other things, the cities, towns and buildings and the country generally devastated by the war now raging. That means a great deal of reconstruction. Building materials will be required; our timber, our lumber, our structural steel will be largely in demand for that purpose. It seems to me that we should now discuss the question of how to transport our raw material or constructive material across the ocean. Conditions in transportation at present are rather peculiar. Ships for commercial purposes are almost impossible to get. Great Britain and other powers have commandeered almost every ship that is available, and in addition to that there is a tremendous destruction of ships caused by attacks of submarines and by mines. From an authentic source I learned that up to the 1st of January last nearly 1,000 merchant ships were destroyed, representing a tonnage of nearly 2,000,000 tons, and since that statement was prepared the submarines have been very active adding materially to that loss. Of course, it may be said on the other hand that when the war is over ships now engaged in transporting war material and troops will be released for commercial purposes. That is true enough, but there will be a tremendous demand for more ships, and I think this honourable House and this committee should be seized with the importance of something being done to increase our Canadian tonnage. How that can best be done will be for the Government and this committee to decide. I thought it my duty to bring this before the attention of the House and the committee.

Hon. Mr. McLEAN—It was not my intention to take part in this discussion but as Dr. Murphy has been called out of the House, I thought I should bring up the subject of the fisheries of the Maritime Provinces. We have probably the best fish

in the world. In the past they have been prepared for southern countries like Italy, Spain and South America. Owing to the number of trawlers that have been taken from the Scotch and Irish fisheries, and from the coast of England, a demand is now springing up for our fish. As hon. gentlemen are aware, in the past nearly all the fish consumed in the British Isles were used fresh, being taken from the trawlers almost the day on which they were caught; but at the present time nothing has been done, and nothing can be done to put our fish on the British market until transportation facilities can be secured. In the past, for instance, our lobsters—of which there are about $1,000,000 worth caught in Prince Edward Island waters—were shipped mostly to France, Norway and Sweden, a gerat many of them going through Great Britain. Before the war those were taken at about 27 cents a case from Prince Edward Island right through to Nancy, Havre and other ports in France. Last year the freight went up to 106 shillings a ton, or four times as much as it was before. I have made inquiries of the shippers and they tell me that this year they cannot get freight less than $3.50 a case, and can get no guarantee of delivery in any particular month of the year. As hon. gentlemen are aware, the contracts are made about this season and deliveries are made from month to month. At the present time no guarantee will be given at any price to deliver freight at any particular time, as the owners of the ships claim that they do not know what day their ships may be commandeered by the British Government. I think it would be an excellent thing if our Government would appoint a man who would be in touch with the British Government to arrange these matters as far as possible. This applies not only to lobsters, of which $3,000,000 or $4,000,000 worth go from the Maritime Provinces; but it will also affect the shipping of cheese, butter and other things that go from the Maritime Provinces to the other side of the Atlantic. While merchants are seeking means of transport, the Government at the same time having such an agent might help to relieve matters. It would be of very great assistance in putting shippers in communication with steamship companies that would be in a position to take our freight across, because no arrangements can be made, and no sales can be made until the freights have been arranged. I was in hopes that before this matter had been finally disposed of we would have the benefit of the report of Dr. York, of Norway, one of the greatest experts on fish in Europe, who was brought down to the Maritime Provinces last season. Through him, and through some men in the Fisheries Department of the Dominion Government, a change was made in the mode of putting up herring of which we have hundreds of thousands of barrels, so that though they sold previously at from $3 to $5 a barrel, by putting them up under the Scotch method last year they brought from $10 to $14. This House can readily understand that we have the best class of fishermen in the world, so far as labour is concerned, but in the past they have been dealing with markets that are now almost closed, and it would be a great thing if we were put in a position to know just how salt fish could be prepared to suit the British market, because they intend to use a great deal of fish as food for the soldiers. It would also help us if we could get those who handle the fish put in touch with transport facilities. I was in hopes that that report would have been in by this time, but I understand it is not ready yet. Dr. Murphy asked me to have the debate postponed so that he might speak on it, but I understand it is the wish of hon. gentlemen to close the debate this evening.

Hon. Mr. SPROULE—Many years ago I took considerable interest in a committee somewhat similar to the one proposed in this resolution, and I think great good was the result of its work, especially to the agricultural class of the country. It was confined to much narrower limits than this resolution, because I see that the proposal is that this committee should inquire alone or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war.

A few of the question that present themselves to my mind in connection with this proposed inquiry are these: at this late stage of the session, what can that committee do? It must be authorized to continue its operations after the close of the session of Parliament; otherwise it can do very little. It would add to the importance and value of the committee if it were made itinerant in its nature. There are many important interests in other parts of the

country that will not come within the purview of this committee. Whether it is contemplated to get authority from the two Houses of Parliament to allow the committee to continue its operations during the recess of Parliament or not, I do not know; but if it is intended that its operations shall be confined to the session of Parliament, it cannot do anything like as much good as if it were to extend over a much longer period. Many things were changed by the committee to which I have referred, which was appointed in 1879, which resulted in great good to the agriculturists of the country. It recommended our experimental farms and experiments all over the country, and started up the dairy and cheese business. Its recommendation resulted in excluding oleomargarine, butterine, and similar articles that were coming in competition with the farmer. It commenced an educational work which is continuing to-day all over the country, and which has been very valuable. The hon. leader of the House said very truly, that nothing can be accomplished without thought, direction and attention. If you can get men to think and analyse, the result must be a better knowledge in their own minds, and greater and more valuable knowledge to the minds of the people of the world who do not think, but who will imbibe some knowledge from what they read and see. In this way it did a great deal of good, and any committee will do good if it applies itself assiduously to the task before it, especially one that has the wide scope that this has. I dealt somewhat with the question years ago and was struck with what might be done. For example, many years ago I lived in the state of Michigan for some time, and in the southern part of that state, after the country had been denuded of its pine—it was a splendid lumbering country—nothing remained but the sandy soil which was of very little value for anything. You could buy land for $7, $8, and $9 an acre, and as low as $5 an acre. You could buy thousands of acres if you wished; nobody wanted it. After the pine was all taken off and lumbering done most of the people moved out, but after a time a movement was commenced, principally through Germans, who were numerically strong in Chicago and Milwaukee. Some of them, after looking over the country, with a knowledge of beet root sugar cultivation, which they acquired in their own country, said, "Here is the very soil for raising sugar beet," and they brought over a great many farmers and planted them there, and used the land for growing beet root. What was the result? I visited there many years ago, and the land which I could have purchased for $8 or $9 an acre years ago was selling for $80 or $90. Why had it increased in value? Because men went into raising what the soil itself would naturally produce, and which could be produced in paying quantities, and it made the country rich. They started growing the beets in large quantities, and the industry is going on to-day, and that is one of the best parts of the state on account of that being done which had remained undone for all time before in that country. Nobody's attention had been directed to it. And so it is with the possibilities of various parts of our country. I said that this commission should be itinerant in its nature, because, while they may know the conditions within two or three hundred miles of Ottawa, away in the vast unoccupied territories we possess, the conditions are as different as day is from night. The soil is varied and without careful inquiry as to what the soil is suited for, what might be cultivated profitably with intelligent application will remain for an indefinite time in the future without anything being done. And, therefore, if you can bring attention to it and create an enthusiasm and get people to inquire, and some one to make a start, it is hard to say what the possibilities are in some parts of the country where nothing is being done at the present time. Those are the lines on which action would do good, but to accomplish what might be accomplished by this commission would require a great deal longer time, and a larger number of people engaged in it than this resolution contemplates. I am far from believing that there would not be a great deal of good from the work of this commission under any circumstances, because if we can only direct attention to it, talk about it, and get people to think of it, and some people to experiment, we will succeed, but it covers transportation, agriculture, chemistry, climatic conditions, what should be produced in different parts of the country if fairly tried, or by cheaper transportation to bring products from different parts of the country and thus distribute human labour, so that each will be working for the other, and not too many working in one line, and too few in another line, and these conditions of nature are such that they would work to our advantage. I

thought when the discussion was going on with regard to the Bill to amend the customs tariff, how short-sighted we sometimes are. One gentleman said, "You are prepared to do a great deal for the apple growers and nothing for the wheat growers." The wheat grower has a good profit on the cultivation of his land. A gentleman came down on the train with me and he said: "Last year I grew wheat, and after I had grown, threshed and marketed it, when I counted up my profits, paid all expenses and everything, I just made exactly $31 an acre on the land I cultivated in one year. Will any one tell me that is not a very good profit. It is true it was an exceptional year, but the farmer who was raising that large quantity of grain and getting such a return, did not require the same assistance and protection as the fruit grower who was getting a very small return. I know a little about it, because fruit is very plentiful in our part of the country. I only refer to it to draw attention to the fact that we must not be so selfish as to direct our thought exclusively to the line in which we make our money, but should have regard for others. There must be give and take, or we never can attain to the national status to which we could rise if we were generous to others and not quite so selfish as we sometimes are. We took up tobacco growing in western Ontario. Every one in Essex county and neighbourhood knows to what proportion that industry has grown and the valuable return it yields. We started the sugar beet industry. That is going on and doing well. It is handicapped in many parts of the country for want of labour. That is the drawback you have to contend with, because the climate of our country is calculated to grow beets with as large a percentage of sugar in them as anywhere, and we are not growing them to the extent we might, simply because we have not the labour. But we might have our attention directed to some other lines, where return might be made without so much labour. That can be done in cattle raising. The more attention you can direct to these lines, and the more you can get the people to know about them, and the more you can make people think, analyse and inquire, the better will be the result, no matter what line it may be. I have one word to say with regard to immigration, because that was mentioned. One of our friends from the West said that the great requirement in the West is to settle up that country. Last year we had only a small percentage of the country under cultivation, but there is a great deal of waste land in that part of Canada. Regarding immigration, years ago the whole craze of Parliament was to get the people there in large numbers. I have said in Parliament over and over again that in my judgment it should not be our ambition to get immigrants in large numbers regardless of the countries from which they come, but should consider their value to the country when we get them here. We have brought in thousands of people who have been a detriment to the country. We would have been much better off if that land had remained unsettled for 50 or 200 years rather than fill up the country with people, many of whom are breaking down our high civilization instead of raising it. That does not apply to all classes of immigration, because a great many of the immigrants will make good settlers and be valuable to the country. If the question of immigration were taken up again, and I were permitted to give any advice, I would say that we should be more careful as to the class of people we bring in, rather than look for large numbers. If we have millions of acres of arable land out there not settled, I do not see that we are any the poorer. We have a place for good settlers and our own population to go. It is largely from the overflow population of Ontario that Manitoba has been settled. A time will come in the future, after the war is over, when we will find another population growing up, and we will have a place where England, Scotland and Ireland can send their surplus population. We will not feel badly off if we have land where they can settle, but if we get citizens from every country of the world, whether they are good or bad, the result may not be so satisfactory, because a great population does not necessarily make the best settlement. Take the case of Belgium. The average farm in Belgium is from one to four acres. There is no great wealth there, but they are living in moderate comfort. They have divided the land into small holdings, and the people are better off than the people in many other countries where the holdings are ten times as large. It is true that when you grow great cities they draw a large population, but you get a large number of people you have to support by charity. You have to organize your societies and give your money, and you have a great deal of poverty on your hands. I think if the people were distributing their products as

they might distribute them after careful thought and consideration, you would not have as large a percentage of people to be maintained at the expense of others during the winter time in our cities as you have at the present. Those are things that should engage our attention, but in my judgment the committee, if appointed, would do a great deal of good, though not as much good as it could accomplish. I would suggest that the committee have power to sit during recess and travel over the country as well; otherwise it will not accomplish as much good as it should.

Hon. Mr. BEIQUE—I am gratified and thankful to hon. gentlemen who have given very valuable thought and brought valuable contributions to the subject before us, and gratified also that the hon. leader of the House has accepted the suggestion. I was afraid he might think the object was to interfere with the valuable work with which the Economic Commission has been entrusted. He has understood the true object of the motion. It is to help discharge a part of that work, and that is the reason why I suggested in the motion that the hon. gentleman should also be a member of this committee, in order that the work may be co-ordinated, and that one committee may not work against the other or cover the same ground, and that is the reason I deemed it advisable to suggest that the hon. gentleman from Middleton be also a member of the committee, so that there would be two members of the commission who would also be members of the committee. I quite appreciate the remarks which have been made by the hon. gentleman from Grey. I realized that it would very likely be thought that this motion was coming very late in the session, and that it would be suggested that it could accomplish very little work. But there must be a beginning. If this committee could only make a beginning it would be worth trying. I had in mind making a suggestion as soon as the committee is formed, which may remove the apprehensions entertained by the hon. gentleman and other members of the House. As was properly stated by the hon. leader of this House, our people are looking too much to the Government to take the initiative and do everything. It is of the utmost importance that the people should be made to think for themselves, and to help to build up this nation, if we are to see, as I am sure we will, a great nation in this land. That is the main object of my motion. My desire and object is to set the community at large seriously considering the problems referred to in the motion, and help solving them. As soon as the committee is formed, I think that a well prepared circular should be issued to all the municipal bodies, rural and urban, inviting them to study the question as far as they may be concerned. For example, I would suggest that these municipal bodies should be invited to see what can be done towards (a) increasing agricultural production; (b) improving methods of production, and assisting this method by proper instruction and demonstration; (c) attracting immigration; (d) establishing employment bureaus; (e) establishing manual and technical training schools; (f) facilitating post school instruction until the children have attained the age of 18; (g) promoting local industries. Those are questions which can be studied by municipal bodies. I quite realize that some of them may not give much attention to the matter, but I hope that a great number of them will give proper attention to several of these questions, and that it will be the means of making them understand that we are passing through an extraordinary period when everybody should contribute his share of work and try to help the community at large. The circular should be addressed not only to the municipal bodies, but to all chambers of commerce, to all transportation companies, to all manufacturers' associations, to the shipping association, to all school boards, to all colleges and universities, in a word to all organized bodies in the country, and invite them to cover the part of the work or study which may fall within their province. It seems to me that by a procedure of that kind the committee may be able to obtain valuable information and experts who may be employed by the committee, may do a great deal for the country. As the hon. leader of the Government in this House stated very properly, the people are very much dependent upon the Government. I cannot find a better example of that than in the item which I have under my hands. It dates back to 17th December. The commission, of which the hon. gentleman is chairman had been appointed but a short time when they received a deputation from the farmers' association. We know perfectly well that we have well organized farmers' associations,

especially in the west and in the province of Ontario. These associations are composed of men of large experience, who are not depending on the Government in several things in which they are interested, and the Government and the country are entitled to have from those associations all the help which they can give. These associations, instead of approaching in a proper spirit several of the questions which had been confided to the commission, immediately made up their minds to come to Ottawa and to make the following suggestions:

Ottawa, Dec. 17.—Many suggestions connected with the future development of the Dominion, in an agricultural sense particularly, have been submitted to the Economic and Development Commission, which has just concluded a three days' sitting here.

Farming organizations, asked to present their views on the various matters included in the scope of the inquiry, have done so in voluminous memoranda. They ask investigations particularly on the following points:

(1)—The collection and publication of accurate and reliable statistics relative to the agricultural production.

(2)—The inauguration of a comprehensive plan whereby farmers may obtain more readily and less extensively long and short term credits for carrying on farm operations.

(3)—The application of the principle of Government control to public markets, stock yards and like utilities, with a view to safeguarding both producers and consumers.

(4)—The whole question of co-operation in connection with production, marketing and consumption and the advisability of securing simple and uniform legislation for the establishment of co-operative societies.

(5)—The question of settling the vacant lands of Canada and the future policy respecting immigration and colonization.

Hon. gentlemen will see that these farmers' associations, instead of coming with some suggestions in concrete form, invited the commission to do the work which they themselves should have done. My object is to turn the table on these associations, and insist upon their doing their share of the work. They are best qualified to do it, and should be made to do it at the earliest possible moment, and I have no doubt will do it when asked. Now you have the transportation companies such as the Canadian Pacific railway, the Grand Trunk railway and the Canadian Northern railway; you have the banks, you have the shipping organizations, and the labour organizations. Is it not a fact that the public is entitled to receive from all those associations their best suggestions. I am satisfied that when these different bodies set to work seriously, a great deal of good may be derived from their joint or separate actions. The hon. leader of the Government misunderstood my opening remarks if he understood me to say that at the end of the war I expected this country would have to take care of an unprecedented prosperity. I never thought anything of the kind. What I did think and say was this: that at the end of the war this country would meet with either prosperity or the greatest depression in its history, according as they would prepare or fail to prepare for it, and my object is to set the country at work in order that the necessary preparation should be undertaken as soon as possible, in order that we may make use of all the energies of the nation, and resources of the country, to prevent at the end of the war a great period of depression. I realize the great difficulties in our way, but the events through which we have passed, and through which we are passing every day, and through which we have been passing since the beginning of the war, show that there is nothing impossible if we adopt the proper means. I know perfectly well the great consumption of capital that has taken place, and fully realize the staggering accumulation of debts which is taking place in Europe and in this country. but I hope that at the end of the war means will be taken to prevent the continuation of the armaments which have been the curse of the world for the last 50 years, and that with the savings that will thus be made the reconstruction may be effected sooner than we expect. I remember perfectly that at the end of the Franco-Prussian War, everybody thought that France was finally crushed, crushed for 100 years; and that was the object of Germany in imposing the five billions of indemnity. They thought France would not be able to pay such a large sum of money; that it would take them 50 years to repay that amount. And what did we see? At the end of a few months or a year the indemnity was paid, and the French territory was freed from the invader. The other day I read this from the great financial authority, Sir George Paish:

London, March 21.—Great Britain's annual income has increased by £600,000,000 since the beginning of the war, declared Sir George Paish, the well-known financial authority, in a lecture to-day on war finance before the Royal Statistical Society, and the total has now reached £3,000,000,000.

The nation, said the speaker, has nearly succeeded in maintaining its productive power

despite the withdrawal of approximately four million men from its industries. It had called in half a billion pounds of its capital from abroad since the opening of hostilities, nearly all of this, however, having been used to make fresh loans to foreign countries, and colonies.

If allowance were made for the increase in the country's gold stocks, Sir George declared, the nation would be found to have succeeded in meeting virtually the whole of its expenditures out of its income, without needing to draw upon its accumulative capital to an extent worth mentioning. Official circulation of the new taxation imposed up to the present time amounted to £197,531,000 and Sir George estimated the taxation in the coming year would reach nearly £450,000,000.

On the whole, the speaker said, the burden of taxation was light considering the circumstances and compared with the burden the country bore during the Napoleonic wars. The national debt before the war was £707,000,000. It would be £2,400,000,000 by the end of this March, Sir George added, and if the war continued another year it would be not far short of £4,000,000,000.

One is surprised at seeing such figures, but it is explained by the fact that England controls practically the shipping of the world, and that although they suffer very great losses, they are earning a large amount of profit with the rates that are being charged. After the war England will of course have the full benefit of the merchant marine of Germany which has been destroyed. They are also lenders in every country of the world, and a large proportion of the population is also making money through munition contracts or other contracts. I quite realize that an enormous amount of capital is wasted, but on the other hand there are new elements of revenue which are being created every day. Imagine what changes are being made in England, and the same thing applies to France, Italy and Russia. You see in England the women replacing the men in a great number of occupations; they have hundreds of thousands of women who are earning wages, who are producing, which they were not doing before the war. These are all new sources of wealth. A new world is being created, and those women who are now taking those occupations will continue after the war to interest themselves in the same occupations, and they will be producers after the war as they are producers during the war. There are a number of other new elements of production which are created because of the necessities of the war.

I hope that these, with the savings which the people are making and will be making, will help recuperation in a reasonable time in England as well as in other countries. I must confess I was a little disappointed that the hon. member from Ottawa was not more optimistic; the more so because I have the highest opinion of the hon. member's good judgment and great experience. I hope that he is mistaken, and that we will not have to face the depression which he anticipates; and I cannot help thinking and saying that if we adopt the means at our disposal we may prevent, in a great measure, that depression. The hon. member from Delorimier also seems, with most of the hon. gentlemen who have spoken on this question, to be pessimistic as regards immigration. I realize the difficulties, but on the other hand, as has been very well stated, immigration and agriculture are closely connected, and one can not be properly developed in this country without the other. The hon. member from Delorimier stated that there would be some 7,000,000 or 10,000,000 men killed or incapacitated during the war. I hope that this figure is very much exaggerated, and that the great proportion of the wounded will not be permanently incapacitated, that the percentage of the great mass of soldiers engaged in the war, will be comparatively small. I think and suggest that if we follow the very good example given by the Canadian Pacific railway to which the hon. gentleman has called our attention, it will be the means of drawing immigrants to this country. I refer to the citation which was made by the hon. gentleman from Baron Shaughnessy, who says in part:

The problem is further complicated by the fact that, without doubt, a very large number of men, who will be mustered out from the British army, will want to emigrate to the overseas dominions, and provision must be made to properly take care of them and colonize them in suitable employment. The problem is one of such magnitude that it must be faced and solved by the Dominion Government, but the Provincial Governments and the large Canadian corporations must also do their part.

Realizing that the necessity must be met, and desiring to take its share of the burden of trying to solve this problem and assist the men who have fought the battles of the Empire, the Canadian Pacific Railway Company has decided to establish in Western Canada colonies, which for the moment we are calling Returned Veterans' Colonies, where men who wish to go in for farming can obtain improved farms on terms which will, in time, enable them to become land owners and create homes for themselves and their families. These colonies will be given distinctive names, probably with military associations, and will contain a sufficient number of families in each to ensure social, school and church facilities, and in each case will include a central instructive farm, under a competent agriculturist, so that advice and instruction may be available for the colonists.

I hope that this example given by the Canadian Pacific railway will be followed by other transportation companies, and also by the provincial governments, and by the Dominion Government itself. It is recognized that a good immigrant is worth some $2,000 to the country in which he settles, and I am satisfied that it would be the best investment to prepare schemes such as that adopted by the Canadian Pacific railway for the reception of such immigrants after the war. The money which would be advanced would be repaid, and the country would benefit by the value of each of those immigrants and their families as producers of wealth and consumers of agricultural and industrial products of the country. All these and a great many other means can be and should be adopted by the different organizations in the country, by the Provincial and Dominion Governments, in order to arrive at the proper solution. These are the few remarks which I intended to make in winding up the debate on this motion.

The motion was agreed to.

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

THE SENATE.

Thursday, April 6, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

TREATMENT OF PRISONERS OF WAR.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. If alien prisoners of war in any or all of the detention camps situate in Canada receive an allowance of 25 cents, more or less, per diem from the Government, or any moneys for work by said prisoners?
2. If the said alien prisoners of war receive similar, better, or worse treatment that is accorded by the German Government to Canadian or other allies prisoners of war in detention camps in Germany?
3. If the Government is not aware of the actual condition of things as existing in enemy detention camps, will it take immediate steps, probably by cable, through the proper constitutional channel to ascertain these facts and without delay communicate them to Parliament and the country?

Hon. Mr. LOUGHEED—The answers are as follows:

1. Alien prisoners of war are given a chance to work in camps in Canada where there is work for them to do, and in such cases are credited with 25 cents per day's work. Besides they are fed and clothed.
2. Prisoners of war are treated in accordance with the rules laid down by the Hague Convention.
3. The reports of the United States Embassy officials in Germany, on the treatment of prisoners of war are forwarded to the Canadian Government periodically by the Government of Great Britain.

Hon. Mr. CLORAN—I did not ask for information from American sources. What I want to know is what treatment has been accorded to Canadian prisoners in Germany, and I want information from a British, not an American source.

Hon. Mr. LOUGHEED—These answers convey the information called for. Does my hon. friend want to have the reports brought down?

Hon. Mr. CLORAN—I want no reports brought down.

Hon. Mr. LOUGHEED—Then what does the hon. gentleman want?

Hon. Mr. CLORAN—I want information from British sources. I want to know how our Canadian prisoners are treated in German camps.

Hon. Mr. LOUGHEED—We get the information in reports which are made periodically, and consequently cover a long period of time.

Hon. Mr. CLORAN—It is a mighty poor consolation for our people to get such vague information.

JUDGMENTS OF THE SUPREME COURT.

MOTION.

Hon. Mr. CASGRAIN moved:

That in the opinion of the Senate, a judgment of the Supreme Coprt of the Dominion of Canada, when unanimous, should be final except in constitutional cases.

He said: I must confess that I rise with a good deal of diffidence to speak on a question that is so threadbare, one which has been occupying the attention of this Parliament for the last 41 years, ever since the Supreme Court of Canada was instituted. I rise with all the more diffidence, because, not being a lawyer, and speaking

on a subject which I am sure the lawyers regard as their exclusive hunting ground, perhaps I should not attempt to say anything, but we have been appointed legislators for life, and surely if every one of us in this Chamber has been thought capable to make laws, no one can take exception when a member of this honourable House rises to speak about something which might become the law of the land. I might say at the outset that I am not wedded to the very words of the motion, that in the opinion of the Senate a judgment of the Supreme Court, when unanimous, should be final except in constitutional cases.

Hon. Mr. TAYLOR—Strike out the word "unanimous."

Hon. Mr. CASGRAIN—My sole object in this matter is to protect, if possible, the rights of the poor man, to take away, if possible, from wealthy corporations or from rich people the means of wearing out those who are not rich enough to follow them to the Judicial Committee of the Privy Council. If we can obtain the opinion of the two Houses perhaps legislation might be introduced to protect the poor litigant, against either a wealthy corporation or a very rich man. Instances have been known of suitors winning unanimously in the first court, in the second court, and in the third court, and being then told by a wealthy opponent, "Very well, we will go to the Privy Council," and the suitor, not having the means to go to the Privy Council, had to accept a compromise. The Act creating the Supreme Court of Canada was called at first "An Act to create a Supreme Court and Exchequer Court" all in one. This was done in 1875, 41 years ago. Long ago as that may appear, I was then in Ottawa. During the time of the Mackenzie Government, I was one of the French translators in the House of Commons, and by a coincidence my father was chairman of the Committee of the Whole, when this Bill was being passed. There were no Deputy Speakers at that time. I was just 18 years of age, the time when one's mind is most receptive, and I remember full well that the intention of creating that court of appeal was to restrict appeals to the Judicial Committee of the Privy Council. I do not know if the hon. senior member for Halifax was in the House at that time. He came here very shortly afterwards, if I remember. So I knew the principal people connected with that legislation, and heard them explain its object. It was, if possible, to let the people of this country interpret their own laws.

Article 101 of the British North America Act provided that a Court of General Appeal for Canada should be established. At that time no objection was taken to the creation of this court, not even from the province of Quebec, from which objections came later. Session after session of the Parliament of Canada the speeches from the Throne almost invariably foreshadowed legislation to establish a Court of Appeals for the whole of Canada. Nothing was done, however, until 1873, when the late Sir John A. Macdonald actually drafted a Bill creating a Supreme Court; but, as we all know, in 1873 the Pacific Scandal arose on charges made by the Hon. Lucius Seth Huntingdon, and the revelations of one McMullen, and in the turmoil that resulted the Bill was not proceeded with. I do not want to mix any politics in this, but the position in Parliament at that time was something like the sensation produced by recent revelations, and a Committee of Inquiry was appointed. The House met again in August, only to be prorogued immediately by the late Governor General, then Lord Dufferin. There was a protest and I remember the late Hon. Joseph Cauchon wanted to proceed, notwithstanding the prorogation. There was quite a turmoil; however, the Parliament stood prorogued until November, and when Parliament met in November the Administration of Sir John A. Macdonald resigned. Hon. Alexander Mackenzie was called upon to form a Government. The elections were held in February, 1874, and his Government was returned by a very large majority, in fact from Ontario the Opposition was not very much more numerous then than it was after the election of 1911. That session only routine business was done. It was not until the session of 1875 that the Bill to create a Supreme Court was introduced. The then Minister of Justice was the Hon. Telesphore Fournier. He had succeeded the late Sir Antoine Dorion, who had been Minister of Justice in the Mackenzie Administration for only a few months. When introducing the measure, the late Mr. Fournier said, in a short speech, that he had used a great deal of the draft Bill that had already been prepared by the late Sir John A. Macdonald, and that it was not a party question. Sir John A. Macdonald, as leader of the Opposition, commended the Minis-

ter of Justice for the introduction of this measure and said that he was very glad that some of the labour he had put on this Bill was coming into effect, and that every member of the House should try to make the measure as perfect as possible. Everything went on harmoniously. When the discussion began on the second reading of the Bill, objections arose, I must say mostly from the province of Quebec. Objections come often from that province. The member for Montmagny, Mr. Taschereau, who was afterwards Chief Justice of the Court of Appeal in the province of Quebec, now Sir Henry Taschereau, took strong exception to the measure, saying that cases of civil rights, tenure of land servitude and so on should not be placed under the jurisdiction of this Court of Appeal. I may say that the Hon. Mr. Mills, whom many in this House knew very well as leader of the Senate for the Government when I entered this House in 1900, took exception to the measure from a constitutional point of view, and several other gentlemen spoke against giving this court jurisdiction over matters arising under local laws. However, the Minister of Justice thought that at no distant date no appeal would lie from the Courts of Canada to the Judicial Committee of the Privy Council. The title of the Act was, "The Supreme and Exchequer Court Act," and it was assented to on the 8th April, 1875. The article to which I referred in the British North America Act, article 101, is:

> The Parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance, and organization of a General Court of Appeal for Canada, and for the establishment of any additional court for the better administration of the laws of Canada.

This wording gave to the able lawyers who were then in Parliament no end of ground for argument. It was held by many that "for the better administration of the laws of Canada" meant the laws of Canada only, federal statutes. Others with equal force, among them the Minister of Justice at the time, argued that the words "notwithstanding anything in this Act" overrode everything else, and that this Court of Appeal should be competent to hear cases from all the provinces. The Minister of Justice said that while there were very strong reasons for maintaining the appeal to the Privy Council, there were stronger reasons for doing away with it. Now I wish hon. gentlemen to bear in mind that this appeal to the Judicial Committee of the Privy Council has nothing whatever to do with the inherent and absolute right of any British subject to lay his complaint, his grievance or his petition at the foot of the Throne. They are two things absolutely distinct, and many who maintain that this appeal to England should not be abolished draw a red herring across the trail when they say, "You are denying to British subjects the right of appeal to the Mother Land," and so on. That has nothing to do with the question. The appeal to the foot of the Throne is another thing altogether. There was only one King of England who ever sat on the Bench as a judge, and then the judges who were near him as accessory told him not to speak, because I suppose he was not very well versed in the law. Now, the Judical Committee of the Privy Council is a committee of the House of Lords. We know that the House of Lords is still the very highest Court of Appeal, and it is the House of Lords that is the court of last resort in England. With that conservatism that characterizes British institutions they still contend that the Judicial Committee of the Privy Council is the House of Lords itself, but as a matter of fact, in ordinary cases there are only three law lords who sit on a case like that. In cases of great importance there may be six or seven, but they are specially selected as the Law Lords, and they constitute a very good court and the very highest court in the Empire. When we apply as colonies, we do not appear before the House of Lords but before the committee, a branch of the House of Lords. In olden times the House of Lords cut off this committee and made it a separate committee with jurisdiction over questions arising in those parts of France which were then under the control of England—Normandy and Breton. It was a sort of court to accommodate what was then a Dominion, not over the sea, but over the channel. Later on they heard cases from plantations, because it was held that in the plantations there were no good judges, and it was right that the people interested in the plantations should have an appeal from judges who were not supposed to be well qualified. Afterwards it was applied to the Channel Islands, and finally to the colonies. The Hon. Mr. Laflamme, who was the member for Jacques Cartier in the House, succeeded the Hon. Telesphore Fournier as Minister of Justice.

The Hon. Mr. Laflamme was of the opinion that our own people were much better qualified to administer justice to the people of this country than a committee of the Privy Council. He held that the lords of the Judicial Committee of the Privy Council had not only to know French law, but had to know Spanish, Dutch, and Hindoo law, so that they could not be as well qualified as our own people who were simply versed in the laws of Canada. But there was another objection, based on the sentiment of loyalty. We were told that if we did not allow appeals to England, the tie with the Mother Country would be weakened. Well, it is a queer thing that the tie which binds us to the Mother Country should be a question of money. In Ontario you have limited the right of appeal to the Privy Council to cases involving $4,000. That is to say, if the case does not involve more than $4,000 you cannot go to the Privy Council.

In the province of Quebec for many years the amount was limited to $2,000. Now, why should a man in Quebec be threatened by a wealthy corporation or a rich man with an appeal to the Privy Council if the amount is just over $2,000, when the same corporation or rich man could not take a similar case from Ontario to the Privy Council unless the amount involved exceeds $4,000. The limit has recently been raised to $5,000, but I ask hon. gentlemen how it happens that such an injustice was allowed to go on from year to year for I do not know how long. If I receive a satisfactory explanation of that I shall be content. I understand perfectly that in order to make our Supreme Court a court of last resort, the consent of the provinces would have to be obtained. Of course a suitor in a provincial court is not obliged to go to the Supreme Court, but can appeal directly from the provincial court of appeal to the Privy Council; but if the Supreme Court were made a court of last resort it would be up to the provinces to accept the jurisdiction of that court as final. I am merely a land surveyor and have no opinion on the subject. I am merely giving the opinion of eminent lawyers who have looked into the question when I say that the provinces would have to consent before the right of appeal to the Judical Committee of the Privy Council could be touched. I said just now that the inalienable right of any British subject to lay his complaint at the foot of the Throne, is one which can not be affected by abolishing the right of appeal to the Judicial Committee of the Privy Council. An example might illustrate that. The right of appeal to the foot of the Throne, has been very seldom exercised. I do not know any members of this House that has exercised it. I once myself used that privilege as a British subject. It was a case in which bondholders were interested. They were of the opinion that they had a case against the Government of the province of Quebec. The Hon. S. N. Parent was Prime Minister of Quebec at the time. The Hon. Mr. Duffy was Treasurer of the province of Quebec, and the Hon. Horace Archambault Attorney General. I happened to know those gentlemen very well. I saw them repeatedly about getting what we might call a petition of right, because as hon. gentlemen all know, we have to obtain permission from the Government before we can sue them. The people who were interested were strangers in this country. Their attorney, who was no other than the present Postmaster General, the Hon. T. Chase Casgrain, thought they had a case. He had made application for a petition of right and could not get it. The matter dragged on for months and months—for nearly one year. It seemed to me that these people had a right to plead in our own courts against the Government, and that the Government should not deny them that right. The Government persisted in their refusal. Believing that there could be no wrong without a redress somewhere, I communicated with the then Lieutenant Governor of the province of Quebec, Sir Louis Jette. I met the Governor and said to him, "I understand it is the inalienable right of a British subject to lay his petition at the foot of the Throne. I do not ask you for a reply, but I ask you to listen to me, to hear my petition, to hear my prayer, and after you have heard it, it will be your duty, as a representative of the Sovereign, to act." He did. Forty-eight hours afterwards the petition of right was granted. That is the privilege of any British subject. Hon. gentlemen will see that there is no analogy between that and an appeal to the Judicial Committee of the Privy Council. To say, therefore, that making the judgment of our Supreme Court final would tend to weaken the tie between this country and the Mother land is absolutely incorrect, to put it mildly. I find also that there is one way by which the province could considerably restrict appeals. Dur-

ing the twenty-five years prior to 1875, when the Supreme Court was created, according to the information available to me, not more than eight or ten cases were taken from Ontario and Quebec to the Judicial Committee of the Privy Council; that is for twenty-five years preceding the year 1875. There was scarcely an appeal at all from New Brunswick and Nova Scotia. Of course the courts of the provinces might restrict appeals in a very simple way, by raising the amount required to go to the Privy Council. I said just now in Ontario it is $4,000. That is little enough. I can prove by a letter I have here from a very eminent lawyer that the necessary expenses of an appeal amount to a great deal more than that. If the amount were raised to a higher limit the provinces could in that way protect their own people. As far as Quebec is concerned, why the limit has been left at $2,000 is altogether beyond my comprehension. Now in order to show the intention of those who passed this Supreme Court Act, I quote the following from the motion of the Hon. Rodolphe Laflamme, which was carried:

As the Supreme Court of Canada was intended to serve as a substitute—

Mark the word—

as a substitute for the Judical Committee of the Privy Council, appeals should not lie for less than $2,000 in the province of Quebec.

I have already asked why the limit was not made the same as in Ontario. I do not know why.

Hon. Mr. CLORAN—Two thousand dollars forty years ago was a lot of money.

Hon. Mr. CASGRAIN—If we take the difference in the value of money then and now, surely it would be up to the provinces to raise the amount now, and make it somewhat in keeping with the fees that litigants have to pay. Objections to the court were taken, and very strong objections, by the Hon. David Mills, and Mr. Taschereau. The Hon. David Mills went so far as to say that if local laws were to come under the jurisdiction of the Supreme Court, we no longer had in this country a federation but actually a legislative union. He spoke very strongly, and many other debaters on that question spoke of the Supreme Court of the United States and some of them instanced the difference. All of us who are familiar with Bryce's American Commonwealth know that in the United States the different states are supreme, and have simply delegated some of their powers to the central Government at Washington, whilst it is the reverse here. In Canada the central government is supreme, except as to defined powers which have been delegated to the different legislatures. So that there is no analogy between what took place in the United States and what has taken place here. Another very strong objection also was raised by one who took a very prominent part in that debate, Mr. Irving, who objected to the option. He did not want the people to have the option to go to one court or the other. He thought that suitors should elect to go to the Privy Council or to the Supreme Court. He thought they should not have the opportunity of keeping people in a state of uncertainty, as a sort of blackmail over a man who could not follow his case and send his lawyer across the ocean at an enormous cost. The Hon. Mr. Ouimet, who was afterwards Minister of Public Works in the Conservative Government, said he would be very glad if the appeal to the Privy Council should be abolished. I have here a letter from a gentleman who is considered one of the best lawyers in the country. I do not think he has any superior in this country, and his reputation is not only well-known in Canada, but he has a reputation as a jurist even outside the boundaries of his own country. That is evidenced by the fact that he was selected, just before the war in Mexico, as a jurist of repute to define the international boundary between the United States and Mexico, and this work had just started when the disturbed state of Mexico interfered with the operations of the commission. I refer to Eugene Lafleur, K.C. I have here a letter addressed by him to J. E. Martin, K.C., which reads as follows:

Montreal, April 14, 1914.

J. E. Martin, Esq., K.C.,
Batonnier,
Montreal.

My dear Batonnier:

I duly received your letter of the 26th March requesting my views upon the following questions:

1. Should the jurisdiction of the Supreme Court of Canada be altered:
   (a) as regards the vadidity of any Acts of the legislature of the province;
   (b) as regards municipal by-laws or other proceedings and as regards civil and commercial matters other than that arising from a federal statute?

2. Should the amount in dispute to permit the appeal be increased, and, if so, to what

amount; and should it be made applicable to sums of money payable to His Majesty, to title to lands or tenements and to servitude and other real rights?

3. Should His Majesty's Privy Council be invited to limit leave to appeal from judgments of the Supreme Court of Canada to constitutional questions, the validity of federal statutes, and references made by Order in Council or by either branches of Parliament?

I beg to submit my answers to the above questions in the order in which they are propounded in your letter:

1. (a) It appears to me to be impossible to restrict the jurisdiction of the Supreme Court of Canada as regards the validity of any acts of the legislature of the province without introducing hopeless confusion in appeals on constitutional questions. In most cases in which these questions are submitted the constitutionality of federal enactments is inseparably bound up with the constitutionality of provincial enactments, and the construction of section 91 of the British North America Act nearly always involves a consideration and determination of the meaning of section 92 of the same Act. To limit the jurisdiction of the Supreme Court in this respect would mean in most constitutional cases that a judgment could be obtained only on a part of the case, and that recourse must be had to another tribunal for the complete disposition of the whole question at issue.

1. (b) As regards municipal by-laws I am disposed to think that the present jurisdiction might be made clearer by re-enactment of the sections dealing with this subject-matter. It may be desirable that in most municipal cases multiplicity of appeals should be discouraged and that the decisions of our Court of Appeal should be final, but there may be cases in which power should be given to the Supreme Court to give special leave to appeal.

As regards civil and commercial matters other than those arising from a federal statute the same difficulty presents itself as in the case of restricting the jurisdiction to the constitutionality of federal laws. Such a distinction will necessarily involve an incomplete decision in many instances where questions arising under federal statute are intermingled with questions arising under the civil law. Moreover, it seems undesirable on principle to limit the jurisdiction of the Supreme Court of Canada as a general court of appeal in civil as well as in federal matters, in view of the long course of decisions which have been rendered by that court and of the conspicious services which such a general court of appeal renders to the jurisprudence of the country. The inconveniences arising from a restricted jurisdiction in this regard have been felt in the United States and I have not heard any sound or serious objections advanced to the system which was evidently contemplated by the framers of the British North America Act.

2. Now that most of the provinces of the Dominion have Courts of Appeal it seems desirable that the amount in dispute required to permit the appeal should be made more uniform throughout the Dominion, and I am disposed to think that the present amount of two thousand dollars in the province of Quebec might possibly be increased, inasmuch as there should always be a certain proportion between the amount involved and the possible costs incurred. In this connection I am also of opinion that instead of adopting the arbitrary rule of looking at the amount which is claimed in the action it would be preferable to have regard to the actual amount in controversy in so far as it affects the party appealing.

With respect to sums of money payable to His Majesty to title to lands or tenements and to servitude and other real rights, I see no reason to distinguish these from ordinary cases where a certain amount is required to give the court jurisdiction.

3. The question as to the advisability of restricting the appeal to the Judicial Committee is more fundamental. Without in the least overlooking the great services which that board has rendered to our jurisprudence, it is necessary at the outset to consider whether, in view of the progressive development of the autonomy of the Dominion such an institution is destined to be permanent or whether it is merely transitory. While it is normal in the case of a Crown colony, its persistence seems scarcely compatible with the legitimate evolution of a self-governing dominion. Although theoretically the Imperial Parliament still possesses supreme legislative authority over Canada, in practice it is quite unthinkable that any legislation affecting us should be passed by the Imperial Parliament against our wishes. This being so it must be regarded as an anomaly that Canada should enjoy the most complete independence in making its laws but that it should not have the same unrestricted freedom to interpret those laws. In other words the suggestion is that while Canadian statesman and legislators can be trusted to enact the laws Canadian judges cannot be relied upon to interpret or apply them.

The reasons usually advanced in favour of maintaining the appeal to the Privy Council is that it secures a decision from a tribunal which is free from local prepossessions and from political, religious or racial prejudices. Such a humiliating confession has never been made, so far as I am aware, by any autonomous colony or state and implies less confidence in the judiciary than in the legislatures. It is no answer to say that our Government have too often made appointments to the bench on the ground of political services rendered than on that of professional merit. This does not prove that competent men cannot be produced or secured to satisfy our requirements, but merely that proper means must be taken to attain this end instead of solving the difficulty by an admission of inferiority and an appeal for external assistance. And I venture to think that our governments will not feel their full responsibility in this respect until our courts are as supreme in their sphere as our legislature are in theirs. Australia has carried the doctrine of autonomy to its legitimate conclusion in obtaining a restriction of the prerogative in regard to appeals to the Privy Council and limiting them to cases in which leave is given by its own Supreme Court and this Supreme Court is admittedly at the present day a very strong one.

From the point of view of the private litigant the appeal to the Privy Council is an expensive remedy—all the more because there are few cases in which Canadian counsel are not sent over to London even on applications for special leave. This means that from $2,500 to $3,000 of expenses may be incurred on a petition for

leave, and from $4,000 to $5,000 for the hearing on the merits. In a case from the province of Quebec there may already have been an appeal to the Court of Review, another to the Court of Appeal, and still another to the Supreme Court, before special leave has been applied for.

For these reasons I am disposed to think that the time has probably come when a limitation of the prerogative right should be seriously considered. Whether we should go in this direction so far as Australia has gone is a matter for discussion, but I feel very strongly that the authority and usefulness of our own Supreme Court would be enormously enhanced if it were in reality what it was intended to become—a final Court of Appeal for Canada.

Yours truly,

(Signed) E. Lafleur,

This is the opinion of Mr. Eugene Lafleur, and I am sure that those who know him will admit that though as an authority he may have some equals, he certainly has no superior in this country. Perhaps I may tell you now what Australia has done:

The right to appeal from the High Court of the Commonwealth of Australia (corresponding to our Supreme Court of Canada) is regulated by section 74 of the Commonwealth Constitution Act, 63 and 64 Vic., (Imp.) cap. 12, which is as follows:

74. No appeal shall be permitted to the Queen in Council from a decision of the High Court upon any question, however arising, as to the limits inter se of the constitutional powers of the Commonwealth and those of any State or States, or as to the limits inter se of the constitutional powers of any two or more States, unless the High Court shall certify that the question is one which ought to be determined by Her Majesty in Council.

The High Court may so certify if satisfied that for any special reason the certificate should be granted, and thereupon an appeal shall lie to Her Majesty in Council on the question without further leave.

Except as provided in this section, this constitution shall not impair any right which the Queen may be pleased to exercise by virtue of Her Royal prerogative to grant special leave of appeal from the High Court to Her Majesty in Council. The Parliament may make laws limiting the matters in which such leave may be asked, but proposed laws containing any such limitation shall be reserved by the Governor General for Her Majesty's pleasure.

You will see that in Australia they do not wish the Judicial Committee of the Privy Council to interfere with special constitutional cases. They want to have their own interpretation of their own constitution in Australia. As far as constitutional cases are concerned in this country, we know for instance that a Private Bill presented in the House of Commons or the Senate can be referred to the Supreme Court of Canada to know whether it is constitutional or not. I do not think it is done very often, but we possess the right to make such a reference. In that case it is simply a matter of advice; the judgment is not binding in any way. Well, if it is only a bit of information that we get from the Supreme Court, giving their opinion, I do not see why, especially if that opinion did not suit us, we should not get the opinion of somebody else across the water. In a case like that the question of cost does not arise, because, in the case of Bills and constitutional cases there is always plenty of money, as it is the public at large that pays and the expense is in proportion to the value of the services rendered. I must apologize to the House for having taken so long on this question, and also apologize to the legal fraternity for having without permission penetrated into their sanctum sanctorum; but I believe that we cannot take too serious a view of the position we occupy in this House, and I claim that every man, in his humble way, should be prepared to express his opinion on public questions and not be ashamed to do so because he may not belong to the legal fraternity.

On the motion being put:

Hon. Mr. SPROULE—I should hardly expect that this House would allow a motion of this nature to pass without discussion. It is certainly a very important question. I do not rise to make any argument whatever, but simply to say that earlier in my life I somewhat shared the view of the hon. senator who has just spoken; in fact, I was opposed entirely to the Supreme Court, and I think I spoke once or twice against it. But like many others, I presume, I have lived to learn more than I then knew; and my strong conviction now is that the present right of appeal from the Supreme Court is very valuable to the country, and I for one would be very sorry to see the people of this country deprived of that right. In cases involving only questions of money the Provincial Government should be in a position to say that no appeal should be allowed unless the sum involved reaches a certain amount: but there are many other questions, where monetary considerations are not involved, which are much more important to the people of the country than cases involving only questions of money. So many questions have arisen since the Dominion of Canada became a Confederation that were never present at the time of Confederation to the minds of able public men at that time, and which have had to be taken to the Supreme Court, and

many others which I think might have been taken to the Supreme Court in the interest of the country, that I am sure those who are charged with the responsibility of legislating in the public interest will agree with me that the question now under consideration ought to be dealt with very carefully and very thoughtfully, not only by the ablest jurists and lawyers in the country, but by the ablest legislators as well. It would be very regrettable if it should go on record that this House showed so little interest in this motion that they allowed it to pass as if it represented the unanimous sentiment of the Senate.

Hon. Mr. CLORAN—I believe with the hon. senator who put this motion before the House that all commercial matters, all material questions, all cases involving filthy lucre, should be settled right within the confines of Canada; there is no need to have them settled by the Law Lords of the British Empire. It is futile and unnecessary that Canadian litigants should be forced to go across the ocean to obtain judgment on a grocery account, a carpet account or a bread account. Such things are too small for the British Empire to deal with and we ought to keep them within our own confines. All those matters—finances, banking, insurance and other things—should be dealt with, and finally dealt with, in our own courts in Canada. As to the constitutional questions which may arise and which do arise, I hold that under the British North America Act, the final court of Appeal, as long as the British North America Act stands, must be the Privy Council under the Imperial Parliament's authority. Questions affecting the constitution, all questions arising out of constitutional rights or privileges, cannot be dealt with finally except through the Privy Council, because, after all, the Imperial Parliament is master of our constitution, and I have found in my experience that on those questions the Law Lords of the Privy Council are better adapted to give fair, sound, reasonable conclusions than even our own courts.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. CLORAN—I am sorry to have to admit it. Therefore, the proposition put before this honourable House by the hon. senator from De Lanaudière is a most opportune one, and I hope it will have the effect of calling the attention of the Minister of Justice, whoever he may be to-day or to-morrow, to the fact that Canada's interest in regard to judicial matters along commercial, financial or other such lines should be settled once and for all in Canada; and when grave questions of constitutional rights, privileges or obligations arise under the British North America Act, that they still be left to the decision of the Privy Council as long as the British North America Act has force.

Hon. Mr. DANDURAND—I would be disposed to support the motion made by my hon. friend from De Lanaudière because I believe in the principle contained therein. In the session of 1912-13 a debate took place on the following motion:—

Moved by the Hon. Mr. David that a committee be appointed to consider the advisability of limiting the rights of appeal to the Supreme Court and to the Privy Council to certain classes of cases, and that the said committee be composed of the Hon. Messieurs Béique, Bostock, Belcourt, Sir Richard Scott, Dandurand, Ross (Middlesex), Power, Choquette, Kerr, Casgrain and the mover.

The members of this Chamber who took part in the debate were the Hon. Mr. David, Sir Richard Scott, Sir Mackenzie Bowell, Sir George Ross, Hon. Messieurs Lougheed, Belcourt, Bostock, Ross (Middleton), Thompson, Choquette and Dandurand.

This motion was adopted, and on the last day of the session, the chairman of the committee (Hon. Mr. Beique) made the following declaration:—

Hon. Mr. Béique—As chairman of the committee appointed in connection with the investigation of the matter of appeals to the Supreme Court and Privy Council, I had expected to be able to present a report. I desire to state what the substance of the report will be. The committee met two or three times and took the matter into consideration, and started the work, in order that it may be taken up again next session, and with that view, the committee has decided to obtain information from the Department of Justice and the Attorney Generals of the several provinces as to the number of cases appealed from the provincial courts to the Supreme Court of Canada, tabulated from each province in each year, and also appeals from the Supreme Court of the Privy Council and appeals from the provincial courts to the Privy Council direct, in order that, if the committee is appointed next session, this information may serve as the basis of questions which may be submitted to parties who are in a position to suggest the best course to pursue under the circumstances.

Hon. Sir Mackenzie Bowell—The committee is seeking information as to the number of appeals from the different provincial courts. Will the committee add to that the decisions at which the Privy Council has arrived?

Hon. Mr. Béique—Yes, we are asking in each case whether the judgment was confirmed or reversed by the Privy Council or Supreme Court.

I find nothing on the subject in the report of the proceedings of this House for the session that followed, 1914-15, but I am under the impression that no committee was formed during that year. The war intervened and our minds have been mostly in other channels.

Hon. Mr. POWER—I think they did meet in 1914.

Hon. Mr. DANDURAND—My hon. friend from Halifax thinks they did meet in the following session.

Hon. Mr. LOUGHEED—If they did they never reported.

Hon. Mr. DANDURAND—There has been no report. I do not see any objection to debating the principle, which I favour, but it seems to me that we should next session continue the work of investigation which this committee started, by re-appointing a similar committee.

Hon. Mr. BELCOURT—May I implement what has just been stated? The committee did meet, and collected valuable information, including statistics from the Exchequer Court, from the Prothonotary of the Superior Court of Montreal and from the Registrar of the Supreme Court of Ontario at Toronto. I think some of the information was tabulated, and I believe I am not mistaken in saying that some of it was printed, and that very valuable evidence was given before the committee on which to base a report. While I am on my feet perhaps I might be allowed to give my own view.

Hon. Mr. GIRROIR—Did not Mr. Ewart speak before that committee?

Hon. Mr. BELCOURT—Yes, and Mr. Cameron was there too. My own view is that there is very little for this Parliament to do in the matter. It is a question which must be dealt with almost exclusively, if not altogether, by the provinces. There is no appeal to-day from the Supreme Court of Canada to the Privy Council as of right. The only appeal from the Privy Council is by leave. Well, that is not in our hands. We cannot touch the Royal prerogative. The only way in which appeals to the Privy Council can be limited is by provincial enactment. The provinces may increase the amounts necessary to give jurisdiction to the Privy Council. That may be proper, but it is none of our business. Not only is it none of our business, but I rather think the provinces would resent advice from us on a subject of that kind. They would probably state that they are the judges of what is best for their own people. I doubt very much if that committee can do any useful work in view of the inability or want of power on the part of this Parliament to touch the matter at all.

Hon. Mr. SPROULE—Hear, hear.

Hon. Mr. LOUGHEED—I hope my hon. friend will not insist upon this motion being submitted to the House this afternoon, or even during the present session. It seems to me that more mature thought should be given to any representation which the Senate of Canada may make on such an important question, particularly upon a question involving so much constitutional interest, and one in which, as my hon. friend from Ottawa said, the provinces are interested. My hon. friend may have overlooked the fact that he has introduced a principle into his resolution which is not recognized, so far as I know, as fundamental in giving jurisdiction to any Appellate Court—that a unanimous judgment of the court may not be appealed from. My hon. friend will observe that the principle which he embodies in this motion is that if the judgment of the Supreme Court be unanimous—

Hon. Mr. CASGRAIN—Then it does not go any further.

Hon. Mr. LOUGHEED—That then an appeal to the Privy Council shall not lie.

Hon. Mr. CASGRAIN—That is right.

Hon. Mr. LOUGHEED—That means that it is in the hands, say, of one judge, who may pronounce a dissenting judgment, to give an appeal to the Privy Council. Now, the jurisdiction of an appellate tribunal has never been based upon that principle, viz., that of a unanimous judgment of the court appealed from. The fundamental principle of all appeals is placed upon a very much higher basis than that which is involved in the motion. I hope that without more mature consideration being given to such a very important subject as this, the Senate of Canada will not make a pronouncement, more particularly as we appointed at a previous session a committee to make a report upon this subject—a committee which

conducted a very exhaustive inquiry and investigation, and has not yet reported. If my hon. friend desires to pursue the inquiry, it seems to me that it would be very much more in the public interest and it would reflect very much higher credit upon the Senate that he should set in motion the proceedings which have been already initiated by the committee, and that a well-considered report should be prepared by that committee; then the Senate, with that information before it, will be able to do something that possibly will be a credit to it.

Hon. Mr. BELCOURT—I wanted to add, but forgot to say, that the motion in any case could not be adopted. The motion is absolutely meaningless, because it is the state of things now. My hon. friend wants us to say that the judgment of the Supreme Court shall be final. Well, those judgments are final; the Supreme Court Act provides that there is no appeal from the Supreme Court. It is a final court in all its meanings; but the King, in the exercise of His Royal prerogative, may—

Hon. Mr. CASGRAIN—It is not the King at all.

Hon. Mr. BELCOURT—This is simply affirming the law. The law to-day is what my hon. friend says in his motion; the law says that the judgments of the Supreme Court are final; but the King in the exercise of His Royal prerogative, may permit an appeal from the Supreme Court or any other court. So far as we are concerned, however, we have legislated that the judgments of the Supreme Court shall be final. All judgments of the Supreme Court of the Dominion of Canada are final, whether unanimous or not.

Hon. Mr. DANDURAND—Except on special leave granted by the Privy Council of England.

Hon. Mr. BELCOURT—Yes.

Hon. Mr. LOUGHEED—We have no control over the Privy Council of England.

Hon. Mr. DANDURAND—No; that point was covered in the previous debate; but there was a suggestion that if the Parliament of Canada expressed a desire that leave should not be permitted it would be taken cognizance of by the Privy Council.

Hon. Mr. POWER—I do not rise for the purpose of discussing this question, but just to say that I trust the hon. gentleman from De Lanaudière will accept the suggestion of the hon. leader of the House not to take a vote on his motion this afternoon. The discussion has not been just what it should have been. On the other question, I distrust to a certain extent the soundness of the principle laid down by the hon. leader of the Government, that it is unconstitutional to say that the court shall be unanimous or otherwise; that you have to take the decision of the court even though it is a majority decision. I understood the hon. gentleman to say that there was in our jurisprudence no case where unanimity was required. I should like to call the hon. gentleman's attention to the fact that in the ordinary case of a jury trying a criminal, unanimity is required, and in that respect, there is a great deal to be said in favour of the proposal of the hon. gentleman from De Lanaudière, particularly in dealing with the decisions of a court like our Supreme Court, because it is an exceedingly unusual thing that a decision of our Supreme Court here should be unanimous.

Hon. Mr. CLORAN—With the permission of the House I should like to add a word in answer to my hon. friend from Ottawa. The information he has just given us now is astounding, that when the Supreme Court has rendered a decision, whether unanimous or not, it is final. In that case rich litigants can go across the water to the Privy Council and get permission to try the case over again. That ought to be done away with at once, and if the motion of the hon. senator (De Lanaudière) will lead to that, it will be so much gained.

Hon. Mr. EDWARDS—I move the adjournment of the debate until this day week.

The motion was agreed to, and the debate was adjourned.

SHIP BUILDING IN BRITISH COLUMBIA.

INCOMPLETE RETURNS.

Hon. Mr. BOSTOCK—Before the Orders of the Day are called, I want to draw the attention of my hon. friend and the Government to the return that was brought down yesterday on the question of ship building. I notice that it simply deals with two letters and a resolution, one of which is dated September 26, 1911, and the other September 29, 1911. Is there nothing on record of a later date than that?

Hon. Mr. LOUGHEED—I really cannot say.

Hon. Mr. BOSTOCK—Will my hon. friend be able to find out and let me know?

Hon. Mr. LOUGHEED—From what department is it brought down?

Hon. Mr. BOSTOCK—From the Marine and Fisheries Department but it comes through the Department of the Secretary of State.

Hon. Mr. LOUGHEED—Has my hon. friend any personal knowledge.

Hon. Mr. BOSTOCK—I thought there had been some application on the part of the British Columbia Government to this Government.

Hon. Mr. LOUGHEED—Drop me a letter and I will make further inquiry.

PARLIAMENTARY BUILDING PLAN.

Hon. Mr. WATSON—Before proceeding with the Orders of the Day I should like to make an announcement to the members of the House carrying out the wishes of the House as expressed by the member for Halifax the other day, of having plans submitted to the Building Committee of the Senate. I have directed notice to be sent to all the members that Mr. Ewart, Chief Architect of the Public Works Department, has prepared another plan for the remodelling or re-constructing of the Parliament Building, and he will be here with his plans to-morrow at 2 o'clock in the Railway Committee room. This is apart from the plan that we saw here a few weeks ago.

Hon. Mr. SPROULE—Do we have the other plans to compare with Mr. Ewart's?

Hon. Mr. WATSON—I think we will have a photograph.

BANK ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 33, An Act to amend the Bank Act.

[In the Committee.]

Hon. Mr. LOUGHEED—I might say that I have had a discussion with the minister as to the application of the clause in question to Quebec, and he is prepared to accept the amendment, which, after consultation with the Finance Department, we have prepared. The amendment is to subsection 19 of the Bill, I move to strike out in line 30 the words "seized and" and in lieu thereof insert the words "or seize such live stock, and before or after taking possession of or seizure, to sell such live stock or part thereof, as may be necessary to realize the amount due, etc."

The amendment was adopted.

Hon. Mr. LOUGHEED—Then at the end of subsection 19 we add:

And posting a notice in writing or in print of the time and place of such sale in or at the post office nearest to the place where the sale is to be made.

Hon. Mr. DANDURAND—That is the amendment suggested by the hon. gentleman from Portage la Prairie?

Hon. Mr. LOUGHEED—Yes.

The amendment was adopted.

Hon. Mr. LOUGHEED—Then, after the word "deducted" in the second line of subsection 20, we add the words:

And prior privileges, liens or pledges existing in favour of third parties, and for which claims may have been filed with the party making the sale have been satisfied.

This amendment has been considered by the legal expert of the Finance Department.

Hon. Mr. POWER—I direct the attention of the minister to the fact that he has stricken out the word "seized" in the preceding subclauses, and now such seizure does not come in.

Hon. Mr. LOUGHEED—We have re-enacted it. There is a distinction between seizure and possession.

The amendment was adopted.

Hon. Mr. SPROULE, from the committee, reported the Bill with amendments.

JUDGES ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 68, An Act relating to the Superior Courts of Saskatchewan and to amend the Judges' Act.

(In the committee).

Hon. Mr. BOSTOCK—Is that not a curious wording—the Chief Justices of Saskatchewan? Is it the intention to give the present Chief Justice the choice as to whether he is to have one position or the other?

Hon. Mr. LOUGHEED—The idea is that the Chief Justice of the Court of Appeal shall have this salary, but the Chief Justice of the province of Saskatchewan may not necessarily be the Chief Justice of the Court of Appeal.

Hon. Mr. POWER—He should be Chief Justice of the Court of Appeal or the Court of King's Bench.

Hon. Mr. LOUGHEED—If he is the Chief Justice of the Court of King's Bench he does not get the increase. It reads: "The Chief Justice of Saskatchewan, if he is also Chief Justice of the Court of Appeal, and if not to the Chief Justice of the Court of Appeal."

Hon. Mr. POWER—Perhaps the hon. gentleman will be kind enough to tell us whether this clause increases the number of judges, and whether it increases the expense of paying these judges?

Hon. Mr. LOUGHEED—My recollection is that the number of judges at the present time constituting the Supreme Court of Saskatchewan is six. Now it is proposed that there shall be organized two courts, one of the Court of Appeal consisting of three judges and a chief justice, and the other a Court of King's Bench and a chief justice, consisting of five judges, so that it adds two puisne judges to the judiciary of Saskatchewan. Some hon. gentleman asked me yesterday if I would bring down a statement as to the increased business showing the necessity of additional judges being appointed in Saskatchewan. I have a list before me showing that from the year 1908 to the year 1913 inclusive there was a great increase in the court business of that province.

Hon. Mr. POWER—The change of Government accounts for that.

Hon. Mr. LOUGHEED—The number of cases tried in the various places in the province of Saskatchewan is shown by the following statement:

Cases tried in the Supreme Court, Saskatchewan, in the various Judicial Districts and on appeal during the years 1908 and 1914.

District.	1908.	1914.
Battleford	34	89
Cannington	46	31
Estevan	..	31
Humboldt	..	31
Kindersley	..	26
Kerrobert	..	25
Melville	..	12
Moosejaw	17	134
Moosomin	51	24
Prince Albert	38	78
Regina	120	200
Saskatoon	94	228
Scott	..	33
Swift Current	..	95
Weyburn	..	39
Wynyard	..	12
Yorkton	20	74
Number of cases heard before the Supreme Court of Saskatchewan en banc	32	109
	452	1,265

These figures show that five judges in 1908 heard 420 cases at Nisi Prius and 32 cases on Appeal, while in 1914 six judges had to do approximately three times as much work by hearing 1,156 cases on Circuit and 109 on Appeal. I think these figures justify this measure.

Hon. Mr. DAVIS—I think there should be an increase in the number of judges in Saskatchewan. At the last sitting of the court in my own town one of the judges, Mr. Justice Lamont, sat steadily for one month, and did not half finish the docket before he was called away. The cases will be taken up at the next sitting of the court, but will probably not all be heard, and a number of them will have to be thrown over until next fall. In some places the work is being done by district judges, and they have an enormous amount of work. I might say, in passing, that they are not sufficiently paid for the work they are doing. They are worked to death and travel all over the country.

Hon. Mr. POWER—The hon. leader does not appear to have caught the exact effect of this provision of the Bill. The effect is that the Chief Justice gets $8,000. Then there are three puisne judges of the Court of Appeal; that is four judges in the Court of Appeal. Then paragraph (c), the Chief Justice of the Court of King's Bench, and five puisne judges; that is six judges in the King's Bench. So that this provides for ten judges in place of six. The hon. gentleman thought it provided for only eight.

Hon. Mr. LOUGHEED—Yes, the hon. gentleman is quite correct. I was omitting those Chief Justices.

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

CUSTOMS TARIFF ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 61, An Act to amend the Customs Tariff Act, 1907.

(In the Committee.)

Hon. Mr. WATSON—I should like to ask by what amount the Government expect to enrich themselves by the customs tax on apples?

Hon. Mr. LOUGHEED—Hon. gentlemen on the other side rather misapprehended what I said about apples. I did not say that the imposition of this tax, namely, 50 cents a barrel, was for the purpose of increasing the revenue. What I said was that the imposition on crude oil was for the purpose of adding to the revenue, and it is estimated that the increased duty will realize about $500,000.

Hon. Mr. THOMPSON—Which one of those oils.

Hon. Mr. LOUGHEED—Item 267. It is estimated the increased revenue will represent about $500,000.

Hon. Mr. WATSON—The hon. gentleman does not expect a revenue from the increased duty on apples?

Hon. Mr. LOUGHEED—We have not considered that. We have placed a duty upon apples for the purpose of promoting the industry in the province of my hon. friend the leader of the Opposition. The Government has exercised peculiar solicitude in this Bill to promote the interests of British Columbia, and yet my hon. friend is very strongly opposed to it. The duty on apples will have a beneficial effect in promoting the apple industry there. As to the duty upon crude oil my hon. friend overlooked entirely yesterday the fact that one of the largest and most prosperous industries in the province of British Columbia is the coal industry, and the importation of crude oil from the Pacific coast, particularly from California, has very seriously affected the output of the coal mines of the province.

Hon. Mr. BOSTOCK—Yesterday I was arguing in favour of protecting the forests of British Columbia.

Hon. Mr. LOUGHEED—We are not touching the forests. I do not find anything here about forests.

Hon. Mr. BOSTOCK—I might say that I think the use of oil as a fuel on railways is a very good thing in the interests of the forests of this country. My hon. friend has referred to the duty on fruit. This morning I received a paper from British Columbia in which attention is drawn to the fact that the Provincial Government had provided the expenses of a delegation to come down to Ottawa and ask the Dominion Government to raise the duty on apples coming into this country. I do not know whether it is the regular thing for Provincial Governments to pay expenses of delegations coming down to Ottawa for similar purposes.

Hon. Mr. LOUGHEED—It is not so important as to warrant that.

Hon. Mr. BOSTOCK—My hon. friend yesterday, in the discussion which we had on another motion, urged that the various parts of the country should pull together for the general interests of the Dominion. It seems to me that there is a good deal of question between the different provinces as to whether this duty on apples is in the general interests of the country.

Hon. Mr. DAVIS—My hon. friend has asknowledged that the duty on apples is not for revenue, but for the purpose of protecting the industry, increasing the price to the people who use apples.

Hon. Mr. CLORAN — They are dear enough now.

Hon. Mr. DAVIS—We should endeavour to do the greatest good to the greatest number. Fifty men are eating apples where one man grows them. Why should they tax the fifty men for the benefit of the one?

Hon. Mr. LOUGHEED—So that they could grow apples for the fifty.

Hon. Mr. DAVIS—If you want to encourage them, give them a bonus. If it is in the interest of the whole of the people of Canada that these people should be given a bonus for growing apples, give it to them, but the people who eat apples should not be taxed.

Hon. Mr. POWER—I notice that hon. gentlemen on this side of the House have failed to see one very cheering circumstance in connection with the duty on apples. It will be remembered that on several very important articles of consumption in this country the present Government has reduced the British preference from 33 to 5 per cent, and in some cases, I think, abolished it altogether; but hon. gentlemen will feel relieved to see that with respect to apples they preserve the old high British preference. The duty on apples coming from Britain is only 60 cts., while the duty on apples coming from other countries is 90 cts. I think if my hon. friend from Prince Albert had asked the Govern-

ment how much revenue they expected to get out of the British preference duty, it would have been more to the purpose.

Hon. Mr. LOUGHEED—We have not suffered greatly from the importation of English apples.

Hon. Mr. POWER—It is really rather disappointing. Yesterday the hon. leader of the Government in this House made a speech on which I think we all felt disposed to congratulate him, and towards the latter part of the speech the hon. gentleman pointed out that Canada has been going astray almost from the beginning, that instead of men relying upon their own industry, energy and enterprise, they had got into the way of looking to the Government to be helped. That was a broad-minded, statesmanlike view of the thing, and he intimated that hereafter the Government would be careful not to give subsidies to company-owned railways, and that they would be careful not to give tariff help to struggling interests, and here the hon. gentleman, on the very day that he makes this broad-minded statement, brings down this contemptible measure. I must say, as I think I have said once before, that the present Government are most insincere and deceitful.

Hon. Mr. CLORAN—The sentiments expressed by the last speaker go to my heart, and to the heart of every eater of apples throughout the country. It is an apple of discord the Government has introduced into the Tariff Bill. God knows they should have left the apple alone. It is about the only nature fruit we can get in the winter season. Why they should increase the poor man's burdens in regard to the tariff in time of war is more than I can understand. If there is anything on God's earth that ought to be free and open to common consumption, it is fruit of all description. Why put a tax on strawberries which are only available from the United States in the months of February, March, April and May. We have none in Canada in those months. Why put a tax on that fruit, the natural fruit, the medicinal fruit. Why put a tax on oranges, bananas and grapes which we cannot grow in Canada—the poor man's diet, the substitute for a doctor. It is a matter of apprehension, as far as public utility and public health are concerned. Most of the fruit imported into this country is consumed by the poor man and his children, and with the hon. gentleman from Halifax I regret to see the representative of the Government in this House, come down with a jaunty air and ask the Senate to endorse this increased duty without protest. As one of the young people of this country I protest against that. I protest against it as a menace to the good health of our people. I protest against it as an imposition on our purses. I protest against it as a lack of charity on the part of the Government towards the people of Canada who need fruits. Our apples come into season when the fruits of other countries are out of season, and consequently need no protection. Why should the Government of Canada levy a tax upon the poor man's bread and butter? On the child's food? They ought to be ashamed of themselves! Let them rake off a little from the Allisons and the Militia Department, but do not, for the Lord's sake, do not let the Government of Canada put a duty on things that are absolutely necessary for the good health of the people. That is my advice to the Government and they will find out I am right when they go to the people at the expiry of their term which has been prolonged too long. Why does not the Government put a duty on cucumbers and muskmelons?

Hon. Mr. LOUGHEED—We will think about that.

Hon. Mr. CLORAN—We will help you on that line, and on sawdust and sausage skins and other things.

Hon. Mr. DAVIS—And skeletons.

Hon. Mr. BEAUBIEN, from the Committee, reported the Bill without amendment.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Friday, April 7, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE $75,000,000 LOAN.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

1. The price paid by the syndicate of bankers who purchased the $75,000,000 par value 5 per cent bonds recently issued?
2. What was the net amount received by the Canadian Government for the issue?

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

1. 99.56 for $25,000,000 of 5 year bonds, 97.13 for $25,000,000 of 10 year bonds; 94.94 for $25,000,000 of 15 year bonds, less an allowance of 2⅝ per cent covering commission to the syndicates and sub-syndicates, brokerage, costs of distribution by selling agencies and advertising throughout the United States.

2. The net amount received for the issue made April 1 on April 3, was $70,959,683.33.

BILL INTRODUCED.

Bill (I-2), An Act respecting rentals payable to The Mount Royal Tunnel and Terminal Company, Ltd.—Hon. Mr. Lougheed.

THE LIBRARY OF PARLIAMENT.

A QUESTION OF PRIVILEGE.

Hon. Mr. CASGRAIN—I should like to draw attention to the portion of the Library of Parliament which has not been burned down. Last Wednesday afternoon I was working in the Library preparing the speech which I delivered yesterday, and I did not notice that one by one the workmen went away. About half past six I found I was locked in the Library. I roamed about the place, but found not a living soul there. I went back to my work and waited, I do not know how long, when I heard steps, and a man came along without a badge or uniform to show that he had any right to be there. I did not know whether he was an intruder, possibly a German spy, who might blow up the place or set it on fire. I asked him who he was and he said "I am the caretaker." I asked him if he was all alone to take care of this valuable Library, and he said "yes." I said "Have you any arms," he said, "None whatever, I have my fists." I said, "That would not be much protection. Any one could overpower you." He said, "There are a couple of constables outside." I said, "That may be, but it seems to me after what has happened there should be at least two guardians, and they should be thoroughly armed." If this man should take ill, or something should happen him, a fire might start there with nobody to cope with it. I am informed this morning that there are no bars in the windows on the ground floor. Any one could crawl through and set the building on fire. I said, "Where were you a few minutes ago? The place was vacant. I could have carried away anything, provided I could have got out." He said, "I was down stairs closing windows and bolting doors." I said, "Are you here all night, all by yourself," and he said, "Yes, absolutely alone." I do not think that that condition of affairs is safe. Hon. gentlemen know the Library is constructed of most inflammable material. All the shelves containing the books are covered with shellac, which is most inflammable. There are books in that Library which could not be replaced. I think it is only necessary to call the Government's attention to this condition of affairs to have two guardians there instead of one. Anybody could open the wooden door on the north side of the building, walk in, overpower the caretaker, and set the building on fire. I think this shows a great neglect on the part of the Government.

Hon. Mr. LOUGHEED—I shall be very glad to direct the attention of the Government to the remarks the hon. gentleman has made.

THE NAVAL AID BILL.

QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—Before the Orders of the Day are taken up, as a question of high privilege it may well behoove this honourable Chamber to take cognizance of a serious attack upon the constitutional rights and privileges of the Senate of Canada, as well as the honesty and integrity and independence of its members. In the first place the Senate has been an object of denunciation on the public platform, the pulpit and the public press, and even on the floor of the House, but the ship of state has safely got through all these gales and storms of adverse criticism and is still riding supremely on the waves of public and political activities of the nation. But alas, an attempt has been made to impair the usefulness of the Senate from an unexpected quarter. A torpedo has been directed against it from the defunct Naval Aid Bill under the command of Admiral Sir R. L. Borden, and that without warning. Two days ago the Prime Minister officially informed Parliament and the country that if his Government had no naval aid to give the Empire in the present war, it was because the Senate had determined to reject any measure providing for the same. This is an astounding charge coming from the highest political authority in the land, and the Chief Adviser of the Crown in this

Dominion. The Senate is held up for condemnation, not only in Canada, but throughout the Empire and the outside world, as being responsible for the lack of naval aid by the present Government to the needs of Great Britain and her Allies in the prosecution of the war. I strongly protest against any such imputation against this honourable body and challenge the Prime Minister, Sir R. L. Borden, to make good his denunciatory statement. I may be permitted to point out to the Prime Minister that even if the Senate rejected his Naval Aid Bill in 1912, it was his duty to reintroduce the measure with modifications so as to cope with the emergency. He had sufficient British parliamentary precedents to authorize him to do so. Why did he not look to the Gladstones and Asquiths for examples of modern statesmanship? Both of these Prime Ministers of the strongest Governments of the century in Great Britain had to face and overcome the adverse action and criticism of the House of Lords towards their most important measures from an Imperial standpoint. In order that there may be no mistake about what our Prime Minister stated against the Senate of Canada, I shall quote his words, as taken from the public press. All hon. gentlemen have read it. It is a half column in length. If hon. gentlemen will permit I shall take it as read or have the Clerk read it. It is worth reading. I can give the substance of it from memory. The hon. Prime Minister stated in the most important place in this country for the benefit of the nation that if the British Empire was without any aid from Canada on the seas, it was due to this honourable body.

The SPEAKER—I would ask the hon. gentleman if he intends to wind up his speech with a motion?

Hon. Mr. CLORAN—Yes.

The SPEAKER—Will the hon. member carry out his intention?

Hon. Mr. CLORAN—That is none of the Chair's—well, that is my business.

Some hon. GENTLEMEN—Order, order.

The SPEAKER—I ask the hon. gentleman to withdraw the expression.

Hon. Mr. CLORAN—I say it against myself, not against the hon. Speaker.

The SPEAKER—The hon. gentleman is a member of the Senate. He has no right to say anything against himself.

Hon. Mr. CLORAN—It is a pity to be interrupted by the Speaker, who should be dumb. I have been making a statement to the country and I am interrupted by the Speaker of this House.

The SPEAKER—There is nothing before the Chair.

Hon. Mr. CLORAN—There is a high question of privilege against the honour and independence of this body.

The SPEAKER—Then I have a right to ask the hon. gentleman if he intends to wind up with a motion?

Hon. Mr. CLORAN—Yes.

The SPEAKER—Then I have nothing further to say for the moment.

Hon. Mr. CLORAN—It is an awful shame to be thus interrupted. It has occurred quite often. With the permission of the House, Mr. Young, the Assistant Clerk, will read this statement. It is a declaration made by the Prime Minister against the Senate of Canada.

Hon. Sir MACKENZIE BOWELL—What have we to do with that? I object to it.

Hon. Mr. CLORAN—It has to go on record. I want it taken as read.

Hon. Mr. LOUGHEED—I would raise this point of order, that my hon. friend cannot refer to a speech made in the other Chamber.

Hon. Mr. CLORAN—I am making my speech in regard to a report in the public press. I do not take it from Hansard. It is a report which appeared in the public press and no authority in this House can prevent me from quoting a public report—not even the leader of the Government.

Hon. Mr. LOUGHEED—Chair! I raise the point of order.

The SPEAKER—The hon. gentleman states he has taken the report from the public press. In many cases when we are reported in the public press we are not correctly reported.

Hon. Mr. LOUGHEED—It is a report of a speech made in the House of Commons.

Hon. Mr. CLORAN—It may have been made twenty times in the House of Commons and outside. I only find it in the public press.

The SPEAKER—I think there is a point—

Hon Mr. CLORAN—If His Honour rules this out, we will have no more fanatic speeches referred to in the House.

The SPEAKER—In the extract handed to the Clerk at the Table I find the following preface:

A statement regarding the Government's naval policy was made by the Prime Minister." "In the autumn of 1913," he said, "the Government had under consideration the reintroduction of the Naval Aid Bill of 1912."

The statement in this paper seems to quote words spoken in the House of Commons.

Hon. Mr. CLORAN—Certainly, no doubt about that.

The SPEAKER—I do not see that the hon. gentleman has a right to quote what the Prime Minister said in the House of Commons.

Hon. Mr. CLORAN—I can put it on record the same as the "fanatic" business. I bow to the decision of the Chair that an extract from the public press cannot be read in this honourable House, but somebody else will have to bow to it later on.

The SPEAKER—The hon. gentleman—

Hon. Mr. CLORAN—I am not addressing the Chair.

The SPEAKER—I call the attention of the hon. gentleman to the fact that even an extract from a journal is not allowed to be read unless it is placed on the Table here.

Hon. Mr. CLORAN—I asked the Clerk to read it, and I should like to know if that is not putting it on the Table viva voce. The Prime Minister of the day, who is our chief, and who appoints senators, has undertaken to challenge the loyalty and fidelity of this honourable body towards Canada and the Empire by making the statement that his Government did not introduce any Naval Aid Bill because the Senate was determined beforehand to reject it.

I say the right hon. the Prime Minister of this country had no right to make that statement, and that he has offered this honourable body an insult, which ought to be resented. He said he made the statement on the ground that he had sent confidential agents into our body to ascertain if the Senate of Canada would approve of and accept his measure, either the original Naval Aid Bill, or a modified measure—most unseemly conduct, to send confidential agents, spies, into the Senate to find out its state of mind, and on the report of his confidential agents and spies he was convinced that no assurance would be given by the Senate that it would sanction naval aid to the British Empire. I say these statements must be challenged; I hold that they are untrue. O, for the tongue of Cartwright or of Ross to-day to answer that! Would that these men of yore were here to answer this charge against the independence, the honour, and the integrity of the Senate, apart from its constitutional right and privilege to discuss, to consider, to accept, and to reject any measure. Under that cloud we are asked to continue our existence. He as Prime Minister for the past six years has put into this House at least twenty-five, if not more, senators, and has the power in his hands to-day to introduce, if he would, some fifteen to twenty. He has the power of putting into this House ten members from the northwest provinces after this Parliament is dissolved. We have in this House six or seven vacancies yet to be filled. He is the creator of this body, and he besmirches the reputation and character of his own child. I say, hon. gentlemen, I do not care on what side of politics you may be, you ought not to stand for a condition of things like this—to be held up to the world as a body of men unfit to legislate. I shall review all the worst decisions of the Chair, and take occasion to have the Speaker's remarks placed on record in this honourable body as soon as possible. I ask this question:

Will the Prime Minister tell us who his confidential agents were to make inquiry into the state of mind of the Senate regarding his Naval Aid Bill, and who were the senators that gave no assurance that a modified Naval Aid Bill would be favourably considered?

Will he tell us that it was Sir George W. Ross? Senator Kerr? Or the absentees to-day? I defy him to name one single living senator in this body who gave to his confidential agent information that the Senate would not pass any of his Naval Bills. I defy him. There is not one single living senator on the floor of this House who ever gave that assurance to his confidential agents or spies, unless it be on the other side, among his own friends.

Hon. Mr. POPE—They ought to know.

Hon. Mr. CLORAN—Apart from this information so strangely obtained, is there not room for surprise that the very man who created and who creates the membership of this Senate should take such unseemly means to ascertain the fidelity and the loyalty of this honourable body to the interests and welfare of Canada and the Empire? In any case the Senate's action is amply vindicated by the British Government, according to Sir Robert Borden himself, when he says that the Imperial authorities wanted none of his Naval Aid Bills, but that they wanted the men and resources of Canada to help them in the war. There is the answer of the British Government to the Prime Minister of Canada, and a complete vindication of the action of the Senate. Now, I shall make it my duty to place his words and his accusations and his denunciations on the records of this House, so that they shall be preserved for ever and ever.

Hon. Mr. POPE—Amen.

Hon. Mr. CLORAN—And I move now, seconded by Senator Davis:—

That the extract from the public press containing the remarks of the Prime Minister of Canada be placed in the records of this House and on Hansard.

The SPEAKER—I declare the motion out of order.

Hon. Mr. CLORAN—Then what motion do you want me to make? I give notice that I shall move that these remarks——

Hon. Sir MACKENZIE BOWELL—The Speaker is on his feet.

Hon. Mr. CLORAN—I shall draw attention to these remarks of the Right Hon. the Prime Minister of Canada; and further, after the statement is printed, ask if such is according to truth.

Hon. Mr. TAYLOR—That is out of order.

Hon. Mr. LOUGHEED—I should like to point out to the clerks of the House that this notice should not appear on the Minutes on account of its not being in order.

Hon. Mr. DAVIS—Has a member of this House no right to call attention to an article of that kind?

Hon. Mr. LOUGHEED—No.

Hon. Mr. DAVIS—And to ask if there is any truth in it, and to make any reference to it?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CLORAN—Then I shall put it down as a notice of motion. You have a hard task in shutting out the light; it has got to come in some way.

The SPEAKER—Bourinot, third edition, at page 459, says:—

It is in order for a member to make extracts from books, newspaper or other printed publications as part of his speech, provided in doing so he does not infringe on any point of order. But there are certain limitations to this right; for it is not allowable to read any petition referring to debates in the House nor any portion of a speech made in the same session from a private book or paper. It is also irregular to read extracts from newspapers or documents referring to debates in the House in the same session.

Hon. Mr. CLORAN—This is not a debate; it is the Prime Minister's statement to the country.

The SPEAKER—I do not think the notice of motion should be printed in the Minutes.

Hon. Mr. POWER—We have had a very interesting little discussion, but the hon. gentleman from Victoria division should not undertake to dispense with the rules. His proper course is, either at the close of to-day's sitting or at the beginning of Tuesday's sitting, to put a notice on the paper that he will call attention to this speech and inquire if it is a correct report—or whatever inquiry he chooses to make—but it is very unsatisfactory that our time should be devoted to quarrelling or differing over points of order where the rules have not been complied with.

DAUGHTERS OF THE EMPIRE INCORPORATION BILL.

THIRD READING POSTPONED.

On the Order of the Day being called:

Bill (Y) An Act to incorporate the Imperial Order Daughters of the Empire.—Hon. Mr. Edwards.

Hon. Mr. LOUGHEED—I have spoken to the hon. gentleman who has charge of this Bill, and suggest that it should not be read a third time now but referred back to the Private Bills Committee for reconsideration.

The order was discharged accordingly.

THIRD READINGS.

Bill (H-2), An Act respecting the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. DeVeber.

Bill No. 68, An Act relating to the Superior Courts of Saskatchewan and to amend the Judges' Act.—Hon. Mr. Lougheed.

Bill (X), An Act to incorporate the Manitoba and Saskatchewan Bible Society.—Hon. Mr. Boyer.

Bill No. 61, An Act to amend the Customs Tariff, 1907.—Hon. Mr. Lougheed.

VOLLHOFFER DIVORCE CASE.

REFERRED BACK TO COMMITTEE.

On the Order of the Day being called:

Consideration of the twenty-sixth report of the Standing Committee on Divorce, to whom was referred the petition of Rudolph Vollhoffer, together with the evidence taken before the said committee.—Mr. Ross (Middleton).

Hon. Mr. DAVIS—Before this report passes I should like to draw the attention of the chairman of the committee which submitted this report to the fact that the parties interested in the divorce are from my province, Saskatchewan, and I have received some affidavits from parties there to the effect that the respondent in this case has not had proper time to put in a defence. I suppose the fact is that the notices went out and that everything was done in the proper way, but these people are foreigners, and this woman, it appears, did not understand anything about it and did not learn what she should do until her husband had left to proceed with his case. Immediately two or three of her friends got in touch with a lawyer, and I have his affidavit showing that he was only retained by her after the petitioner had left for Ottawa, and that he has evidence that she wishes to give here which would probably change the whole aspect of the case. I also have an affidavit from the respondent herself, but I do not wish to read it to the House as I think it would be better to take up the matter in the committee. I therefore ask the chairman of the committee if he will be kind enough to let the case be referred back to the committee for further consideration.

Hon. Mr. ROSS (Middleton)—I would be sorry that any injustice should be done to the respondent in the case, and I do not see any objection to the report being sent back. The committee can then deal with the affidavit.

Hon. Mr. DAVIS moved that the report be not now concurred in, but that it be referred back to the Committee on Divorce for further consideration.

The motion was agreed to.

The Senate adjourned until Tuesday next, at 8 o'clock p.m.

THE SENATE.

Tuesday, April 11, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

APPLICATION OF REV. I. H. MACDONALD.

MOTION.

Hon. Mr. RATZ moved:

That an order of the Senate do issue for a copy of an application made by Rev. Isaac Hunter Macdonald, of Kintore, Ontario, to the Militia Department for a position of chaplain or major; also, of all copies of letters, papers or telegrams either recommending or opposing said application.

The motion was agreed to.

BILLS INTRODUCED.

Bill (J-2), An Act for the relief of Robert Charles Vondrau.—Hon. Mr. Derbyshire.

Bill (K-2), An Act for the relief of Percy Lynn Woods.—Hon. Mr. Ratz.

Bill No. 80, An Act to amend the Dominion Forest Reserves and Parks Act.—Hon. Mr. Lougheed.

DELAYED RETURNS.

Hon. Mr. CASGRAIN—On the 29th March I moved that an address be presented to His Royal Highness for a statement of expenditures on improvements at Port Nelson. Can the hon. leader of the Government say when I may expect these returns, or whether they will be brought down this session? I made the speech two weeks ago, and I think the department has the information.

Hon. Mr. LOUGHEED—The hon. gentleman's speech should have produced better results. I shall direct the attention of the department to the matter.

SUPPLY BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill No. 85, An Act for

granting to His Majesty certain sums of money for the Public Service for the financial year ending 31st March, 1917.

The Bill was read the first time.

Hon. Mr. LOUGHEED—With a view to obtaining a second reading of this Bill to-night, I move that rules 23, 24a and 63 be suspended so far as they relate to this Bill. His Excellency the Deputy Governor is coming down to-morrow for the purpose of giving assent to this Bill. As hon. gentlemen know, the fiscal year ends on the 31st March, and it is very desirable that this money should be available at once. The Prime Minister apparently discussed this matter with the leader of the Opposition in the Commons, and the Bill passed that House with the assent of the Opposition. It is made up of practically three items. The first amount, $28,713,666.40, has been already voted; the second amount, $20,744,931.01, is a fifth of the General Estimates, and the third item, $50,000,000, is one-fifth of the war appropriation, for which a resolution was brought down, namely, one-fifth of $250,000,000, the Bill appropriating in all $99,458,597.41. The total remaining to be voted of the General Estimates which have been brought down is $132,501,735.98, less certain deductions.

Hon. Mr. POWER—The hon. gentleman mentioned two items first. What were they?

Hon. Mr. LOUGHEED—The two items are $28,713,666.40, and the second item $20,744,931.01.

Hon. Mr. POWER—For what?

Hon. Mr. LOUGHEED—One-fifth of the amount of the Estimates brought down, and then there is $50,000,000, which is one-fifth of the total war appropriation, which has been brought down by resolution.

The motion was agreed to.

The Bill was then read the second time.

Hon. Mr. LOUGHEED moved that the third reading be the first order of the day to-morrow.

Hon. Mr. POWER—There is a question that I should like to have settled. My remembrance is that the other day the Judge of the Supreme Court came here and assented to certain Bills as Deputy Governor. Now, the practice has been that when the Deputy Governor comes to the Senate he is supposed to have been authorized by Order in Council on a commission to act as Deputy Governor. I assume that the judge who came the other day had such commission, but it was not submitted to the Senate. That, I think, is a serious irregularity. I trust that the gentleman who comes down to assent to the Bill to-morrow will have his commission.

Hon. Mr. LOUGHEED—I might say to my hon. friend from Halifax that there has not been any uniformity in our practice of issuing commissions from time to time to the Deputy Governor. Some times the commission is read at the table of the House; at other times it only appears in the Minutes, and is not read. For instance, on the last occasion, when the Deputy Governor, Mr. Justice Idington, came down, his commission was not read at the table of the House, but it appeared in the Minutes of that day.

Hon. Mr. POWER—I did not see it. Thank you.

The motion was agreed to.

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

THE SENATE.

Wednesday, April 12, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SUPPLY BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 85, An Act for granting to His Majesty certain sums of money for the public service of the financial year ending March 31, 1917.

Hon. Mr. CHOQUETTE—As the Deputy Governor is coming at four o'clock to sanction this measure, I should like to occupy the time of the House for a minute or two in discussing the third item of the Bill, $50,000,000, being one-fifth of the war appropriation of $250,000,000. I suppose this amount is voted for two purposes, first, to carry on the war and second, to provide money to enlist men in addition to those we have at the front and the number already recruited that we have in Canada. I desire to enter my strongest protest against continuing

this recruiting. We have already in this country too many enlisted men who will never reach the front to take an active part in the war. The right hon. the Premier recently said in the House of Commons that there are 135,000 enlisted men in Canada waiting to be transported to Europe, because we have no steamers to take them across the Atlantic. Under these circumstances, I ask if it is not the duty of the Government to stop recruiting. As has been said by Lord Shaughnessy and other people, it is a great waste of money, time and men to recruit more men, when we cannot send those already enlisted to the seat of war. Certain men are adopting the military profession and are willing to enlist. I congratulate them on that, if they feel it their duty to do something for the Empire. They are paid to do something, but probably some of them are adopting the calling for their own amusement, and to make a living.

Hon. Mr. MURPHY—May I ask how many of the hon. gentleman's sons or relatives are recruiting?

Hon. Mr. CHOQUETTE—There are none. If I were eligible, I would go myself in preference to trying to send others there.

Hon. Mr. MURPHY—The hon. gentleman would be no good.

Hon. Mr. CHOQUETTE—Perhaps I would be better than the hon. member who asked me the question. Some big men are not as good as the little ones. The big bottles do not always contain the best medicine. I say it is useless to spend money to recruit more soldiers when we cannot send them to the war. In Quebec I have seen men walking about the streets for twelve months. They are good men and I have nothing to say against them, but for the past year they have been happy putting in their time going to the theatres and cafés, and looking for the ladies in Quebec.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CHOQUETTE—That is true. We know the ladies like the soldiers. I am glad of that, but when, as has been said, we have 135,000 men already organized it is time to stop. The Government now have paid officers and paid lawyers—I see some of them not far from my place—going through the country parishes enticing men to leave their farms and enlist, telling them how well they will be paid and assuring them that they will not have to fight because before they reach Europe the war will be over.

These facts are taken from a paper in Quebec, which states that in Montmagny, Megantic and Bellechasse 49 young men, mostly, if not all farmers, have enlisted. These young men will stay in Quebec during the coming summer, and the country will have to pay six or seven dollars a day for each of these men employed to entice those young men off the farms. I say it is a crime to strip the farms of these young men, and also, as we are doing now, to form a battalion of shanty men. The young men who spend their winters in the shanties are nearly all farmers' sons, who in the winter time earn money in the woods and return to the farm in the spring. When they leave the farm and enlist to go to the war, they change their mode of life and habits, so that many, if not all of them will be permanently lost to the farm. While we are encouraging this on the one hand, on the other hand we are forming a committee to try and help the farmers to obtain farm labour. What do we see? At a meeting of the Board of Trade in Montreal, not later than last week, Sir George Foster was present. What was the matter discussed:

> **Another matter in which the aid of the Government was dealt with was a communication from the Toronto Board of Trade which set forth that, in view of the necessity for securing agricultural immigrants for Canada, the Government be "urged to at once give the matter of immigration its most earnest attention."**

On the one hand we are asking the Government to bring in farm labourers from abroad, while on the other hand the Government recruiting officers are inducing our own men to leave the farm. I say that is a crime, against which I, for one, must strongly protest. Moreover, what do we see in a paper published by the Government themselves, the Labour Gazette, for February and March? It says in the West, especially in Brandon, Regina, Edmonton, etc., they cannot get farm help to cultivate their lands. Of every two men that you take from the farm, one if not both are surely lost to the farming community. It is high time to stop that. The Government say that we must have recruits, and are spending a great deal to secure them. Why spend money for this recruiting when as I have shown, we have already more soldiers on hand than we can send to the other side? I take an extract from the

Toronto Mail of the 18th March last about recruiting:

The 169th Battalion in recruiting to its strength of 1,131 men, examined 2,365 men, and therefore rejected as unfit 1,234. Another mounted squadron, amounting to 540 men, examined 1,744 and therefore rejected 1,204.

This is the class of men we are recruiting. Those men are paid to be brought to the city, the doctors are paid for examining them; and then they are found defective and rejected. I had a letter from a good Tory from the county of York in Ontario, an Englishman of the fifth generation on the land there, protesting against this recruiting of the so-called English immigrants; talking about Rev. Mr. Hincks as a faker, and asking me to give his name in the House. He is a good Anglo-Saxon who is proud of his nationality, and he refers me to General Mason, one of our worthy colleagues, or Col. Currie, for a recommendation as to his standing. He is in the riding of Mr. Maclean. I inquired about him, and was told that he is a first-class man. He says that those rejected recruits knew that they were unfit. The name of the writer is Robert Hazelton, and his letter is as follows:

Todmorden, Ont., Sunday 19/3/1916.

In haste.

These defectives are 99 per cent so-called English—are they English—or are they the offspring of foreign sailors and English "dock-prostitutes"! They are surely not descendants of cultured Anglo-Saxons that we Britishers of Canadian birth have heard so much.

Hon. Sir, you are not at all in error when you said what you are reported to have said in the enclosed clipping from "the Telegram" as to the defectives rejected in Toronto. How do the degenerate, defective and undesirable immigrants of this type escape the eye of our immigration officials at Quebec and Halifax? They are, 90 per cent of them, from the slums of England. They are diseased, depraved, deformed and many are illiterates and none are of the agricultural class, the element so much required in Canada. Their intemperance and their vile and filthy habits and their utter lack of all honesty are not such as we Canadians should have sent out to us as samples of the Englishman. They are not suitable for the British Army and, of course, are unfit to serve in ours. The "Rev" (?) Hincks is a faker. He is an adventurer and to the native born he is known as a "Broncho Bullshooter" always blowing his own horn.

Our well bred, educated Canadians have no use for such cattle and refuse to enlist as comrades with such beasts.

The Government has made a mistake in not organizing regiments of "native born" for these of our sons who enlist to be separate and apart from some of these immigrant' swine who have polluted and destroyed the once very beautiful suburbs of Toronto and other Canadian cities with their uninhabitable hovels. Our Irish, Scotch and Welsh from the British Isles are of a very different element to what is known as the "English" here. There are no complaints heard about Irish, Scotch or Welsh such as are heard against those of so-called English origin. The Salvation Army has brought most of these English to our land and from the very worst spots in older England have they been collected to defile our beloved Canada.

Yours respectfully,

(Sgd.) Robert Hazelton.

To the Hon. Senator Choquette,
Cttawa, Ont.

So we see by this that there is not much recruiting of good men in Toronto. Not one-third of the men recruited are able to pass the examination. This Government is taking from the farms of Quebec, Ontario and the West young men who ought to remain at home to assist the country. They are more useful on the farms to help the Allies than they can be in the city parading through the streets behind a band. I beg the Government to call back those paid recruiters—agents, soldiers, officers and lawyers—from the parishes. If more recruits are required, let them be taken from the cities. I was asked by the hon. member from Tignish (Hon. Mr. Murphy) if I had not a son to go to the war. I have sons who are ready to defend this country should the occasion arise. If they feel it their duty to go to the war in Europe, I congratulate them, but it rests with them, as with me, to say where their duty lies. Should the time ever come when men are needed to defend this country, to defend Confederation, and indirectly the better to defend the Empire, perhaps I will be in the front when my hon. friend will not be there.

Hon. Mr. MURPHY—I do not think so.

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

INTEREST ON POST OFFICE AND GOVERNMENT SAVINGS BANK DEPOSITS.

INQUIRY.

Hon. Mr. POWER rose to say,

That he will call the attention to the illiberal and unjust treatment of the depositors in the post office and other Government Savings Banks and inquire:

If it is the intention of the Government to increase the rate of interest paid to such depositors?

He said: I have the highest esteem for the hon. gentleman from Victoria division, and also for the hon. gentleman from Grandville, but just at the present moment

I feel that I have a slight grudge against both of these hon. gentlemen, because the speeches that they have made have been so interesting and stimulating that my few rather dull remarks will seem unusually dull after those sparkling effusions.

The subject to which I call attention here, and as to which I seek the opinion of the Government, is one of very considerable consequence. I had the honour of bringing this matter before the Senate in the session of 1912-13, and it was at that time discussed at some length. I hope it may be discussed at some length on this occasion. Things have progressed since then. In the first place I think it is desirable that the hon. members of the House should know what the position is and what the facts are. By chapter 30 of the Revised Statutes, section 43, it is provided that there shall be allowed to depositors, both in the Postal Savings banks and in what are called the Government Savings banks, a rate of interest not exceeding 4 per cent per annum, such rate to be determined by the Governor in Council. I think it well to call attention to the exact wording of that section of the Act, because there appears to be an impression on the minds of a great many members, both of this House and of the other House, that the rate is fixed at 3 per cent and that it would require a statute to alter the rate. That is not the case. The rate can be raised from 3 to 3½ or 4 per cent any day by an Order in Council. The rate in the early days was at first 3 per cent. Then it was raised to 3½ per cent, and then, in the year 1898, reduced to 3 per cent. The reason given for that reduction was that in the money market at that time, money was not bringing more than 3 per cent, and it was felt it was not a business-like thing on the part of the Government to pay more than 3 per cent when they could get money elsewhere for less. At the time, in 1913, when the matter was brought up, the Government were paying practically 3¾—3.77 per cent, and at that time no action was taken by the House or by the Government, on grounds in which there was a great deal of force. It was alleged, I remember, on behalf of the Government, that they were put to a certain amount of expense in providing the administration of the funds in the savings banks, and that they had to keep a very considerable amount of money as a sort of reserve to meet unexpected calls. I think the Government should at that time have raised the rate to 3½ per cent; but let bygones be bygones. Now what is the position, hon. gentlemen? Let us take the criterion which, I understood, was laid down at that time by the hon. leader of this House, that the Government, in fixing the rate to be paid on deposits in the savings banks, should be guided by the rate of interest which the Government had to pay outside. How is it to-day, hon. gentlemen? The Government are to-day paying domestic lenders—it comes practically to that, it was a bond issue, but it comes to the same thing as a loan—of $100,000,000 at the rate of five per cent, and, more remarkable still, the Government are paying to a syndicate of bankers, chiefly United States bankers, who lend $75,000,000, five per cent, besides paying nearly $4,000,000 for commission, brokerages and other expenses of that sort, making practically another five per cent; and the Government will in future pay five per cent on this loan of $75,000,000, although they have received less than $71,000,000. Now surely hon. gentlemen, when you look at that, you find that here is a Government that got into power practically largely on the policy that they wished to have nothing whatever to do with our neighbours to the south, and you find that they are making a present of nearly $4,000,000 to the bankers and brokers in New York, and are to pay in future five per cent on $75,000,000, while they are getting only $71,000,000. The same Government apparently did not think that they could pay four per cent to their own people, who are living here and contributing to maintain the Government. In view of the attitude assumed by the hon. leader of the Government in 1913, the time has come when the Government should raise the rate to depositors. In 1913 we discussed at some little length the character of the people who deposit in the savings bank. It was alleged then, and truly alleged, that a great deal of the money in the savings banks is deposited by people who are really well-off. That is true, but the fact is that, while a considerable portion of the money is deposited by people who are fairly well-off, the great majority of the depositors are not well-off; they are people of limited means, very often widows, people who save day by day in order to lay by something for a time of future stress, and who deserve the greatest consideration from the Government. Thrift, hon. gentlemen, as you all feel, is a

virtue at all times, but it is especially to be commended at a time like this, when we are advised by the Government and newspapers, and in fact generally, to be thrifty. Every one, from the leader of the Government of England down to the humblest member of the House here, advises us to be thrifty. There is not, as I say, any class of people who are more entitled to consideration than the class out of which the bulk of depositors in the savings banks comes. It is a great deal better that these people should lay their money by to provide for a future rainy day than that they should put it into some speculation. Hon. gentlemen know that, as a general thing, when people who are not in the habit of speculating go into speculation, they simply lose their investments. This class of people that I speak of, these depositors, should be encouraged, particularly perhaps at a time when this spirit of speculation is as strong as it is to-day, and when we have already in the air talk of old age pensions. It does strike me that the people who, by being industrious, economical, thrifty and sober, are able to lay by some money, deserve now more consideration than perhaps at a time when there was nothing being said of old age pensions. The old age pensioners are, as a general thing, people who have not been very thrifty, and who calculate on living towards the end of their days upon, practically, the charity of their more thrifty, industrious and sober neighbours. I think the Government should encourage thrift and discourage anything looking towards old age pensions and, as I intimated at the beginning, now when rates of interest are high, to pay only three per cent to depositors in these Government Savings banks, is practically to discourage people from putting their money into those banks.

Hon. Mr. OWENS—Hear, hear.

Hon. Mr. POWER—And what carries out that view is that the amount of the deposits in the Post Office Savings banks has fallen off since the time when this matter was before the Senate in 1913, by $3,000,000. At that time over $42,000,000 was held in the Post Office Savings banks. To-day there is something over $39,000,000, and in the Government Savings banks there has been a falling off of $1,400,000.

Hon. Mr. McSWEENEY—Has the hon. gentleman the amount in the Government Savings bank?

Hon. Mr. POWER—The amount in the Government Savings banks at present is only $13,111,000. The decrease is a million and a half nearly. There was in 1913, $14,553,000. I think it is pretty clear that a strong case for increasing the rate has been made out. There are, of course, other considerations. The question is if there is any substantial reason why the rate should not be increased. I remember that the hon. gentleman from Rockland, when the matter was before the House in 1913, thought there should be free trade in money. The hon. gentleman is a thoroughgoing free trader, and he thought that this question of the rate of interest to be paid should be governed by the law of supply and demand. I for one quite agree with the hon. gentleman on these points. He left out of sight, however, the fact that the Government are not allowing free trade in money. They are not allowing the law of supply and demand to operate. If the law of supply and demand operated freely, then the Government would be paying 5 per cent to depositors in the savings banks, as they are paying 5 per cent to the New York bankers, and the Canadian lenders. The reason is that the law, as administered by the Government here, says to the small depositors, "We shall not pay you more than 3 per cent." What recourse has the small depositor? He has none. He cannot go to the bank and say that they shall pay him more because the bankers have an immense trade union—I do not use the word in any unfriendly spirit—practically and no one bank will pay more than 3 per cent. They simply put their heads together, and say, "We shall not pay more than the Government pay"; and the consequence is that the depositor is getting only 3 per cent, while his neighbours can get 6 and 7 per cent. He has no recourse. There is no supply and demand for him and no free trade. I should like the hon. gentleman from Rockland to explain where free trade and supply and demand come in.

Hon. Mr. EDWARDS—I am taking no part in this matter, but does the hon. gentleman discriminate between a bond that runs for a long time and not payable on demand, and money which is liable to be withdrawn at any moment?

Hon. Mr. POWER—I do not think there is very much in that. It is true of the chartered banks, I suppose, that the money put in the savings branches is sometimes not left there for any length of time; but as for

the Government Savings bank, it is not the case. The general rule is that money put into the Government Savings bank is allowed to remain for some considerable time, and then, after all, the Government is not in the same position as the banker.

Hon. Mr. EDWARDS—I want to put my hon. friend right. It is not a question as between the banks and the Government. The Government to-day, it is true, are issuing bonds on which they are allowing 5 per cent. Those bonds run for a long period of time. The depositor in the Government Savings bank in a very short time can get the money out, but the bondholder can only get it by selling his bonds.

Hon. Mr. POWER—Can my hon. friend tell me of any instance lately when the Government got money on short loans at less than 5 per cent?

Hon. Mr. EDWARDS—That is not the question.

Hon. Mr. POWER—It is just the question. I have not gone into the details of them, but I notice that some of these loans are for a comparatively short period. It was alleged, I remember, that increasing the rate to 3½ per cent would raise the rates on borrowers generally. Now, in the United States, as I understand it, depositors in the savings banks are paid 4 per cent interest. That has not had the effect of raising the rate of interest on the market. I do not know the rate just at the present time, but a while ago money could be got in New York at 3½ per cent. It was also alleged that it would be injurious to tie up capital in the savings banks. Well, hon. gentlemen, the capital would not be tied up in the savings banks. As I understand it, the money which is deposited in the savings banks, deducting an amount to meet possible calls, is used by the Government, and the capital in the savings banks is not any more tied up than the capital which is borrowed from those bankers and capitalists we have been talking about. So that there is not anything in the tying up of capital. Probably some hon. gentlemen have no idea of the vast amount of money which is deposited in the savings banks. I have already given the figures for the Government savings banks, but I may as well give the figures now for the chartered banks, because, as has been indicated by the hon. gentleman, the rate in the chartered banks will depend on the rate paid by the Government. On the 29th February, 1916—I take the information from the Canada Gazette of that date—the deposits in the chartered banks amounted to $728,242,609. There was deposited then in those banks money, as a rule, of the comparatively poorer class of this population, enough to have met all the loans that the Government have been called upon to make, and leave a very large residue still in the banks. The deposits amounted to $728,242,609. That is an increase of about $100,000,000 since 1913. The capital stock of the banks in the same issue of the Gazette is set out as $114,216,719, and the reserves $112,457,333; but the money that the bankers have been lending to the Government is not chiefly the capital or reserves either. The truth is that the money that they have been lending the Government at 5 per cent is chiefly money that they have got from their savings departments, for which they pay 3 per cent and on which they get 5 per cent. The policy of the Government is supposed to be to get rid of the middleman; in this case the banker is the middleman. He comes between the small depositor who puts his money into the savings bank and the Government who need his money. I think that the efforts of the Government should be devoted to eliminating him. The Government will get their money at a lower rate of interest and the poor depositor will get a little more interest for his money. When this matter was before the Senate in 1913, the hon. gentleman from De Lorimier, whom I am sorry not to see in his place now, put in a vigorous plea and his pleas are generally vigorous and forcible—on behalf of the banks, in opposition to any increase in the rate of interest. He went almost to the point of saying that an increase of one per cent in the rate paid by the banks would leave the banks without any profit. I simply desire to call attention to this fact, that the bankers would not be compelled to accept deposits. They would not be compelled to pay 4 per cent. They can abandon the deposits and fall back on their capital stock and reserves if they so wish; and if the bankers in their own interests thought it well to follow that course, we should have this result: that the Government would get the millions and millions of dollars the banks now hold from the small depositors at a lower rate than they now pay to Canada and United States bankers and brokers. Hon. gentlemen will remember that when this matter was up before the hon. gentleman from Rothesay

(Hon. Mr. Domville) suggested that the Government should issue small bonds.

I am happy to notice that the Government have followed that course. It is a step in the right direction, and I hope they will proceed further in that direction.

I know there are people who think the Senate is not promising ground on which to take a view that indicates anything like hostility to bankers. There is that old saying about a fellow-feeling making us wondrous kind, and most of the members of this House, I rejoice to say, are gentlemen who have very handsome bank accounts, and I think most of them are interested as directors or officers in banks. I think when, as in 1913, the margin in favour of raising the rate is very small, that the hon. gentleman naturally give themselves the benefit of the doubt, but I think that to-day, when the case is so clear and the injustice and unfairness of the treatment that is dealt out to the depositors in those savings banks so evident, the hon. gentlemen of the Senate will look at the matter from a broad statesmanlike and humane point of view.

The Senate adjourned during pleasure.

BILLS ASSENTED TO.

An Act to incorporate Seaport Trusts Corporation.

An Act respecting The Joliette and Lake Manuan Colonization Railway Company.

An Act for the relief of Raymond Conliffe Savage.

An Act for the relief of Robert William Thompson.

An Act for the relief of Nora Louise Jackson.

An Act to amend an Act to incorporate The Canadian Red Cross Society.

An Act to amend The Vancouver Harbour Commissioners Act.

An Act to incorporate The Ontario-Niagara Connecting Bridge Company.

An Act to incorporate The Western Canada Telephone Company.

An Act respecting The Kettle Valley Railway Company and Vancouver, Victoria and Eastern Railway and Navigation Company.

An Act to amend The Canada Grain Act.

An Act respecting certain patents of Stone, Limited.

An Act respecting a certain patent of Harvey Hubbell, Incorporated.

An Act for the relief of Mary Phyllis Lasher.

An Act for the relief of Mabel Mills.

An Act for the relief of Clarice Smith.

An Act respecting The Atlin Railway Company.

An Act respecting British America Nickel Corporation, Limited.

An Act to incorporate Edmonton and Southwestern Railway Company.

An Act to confirm certain agreements made between The Canadian Northern Ontario Railway Company, The Canadian Northern Railway Company and the Canadian Pacific Railway Company.

An Act to authorize certain extensions of time to Insurance Companies.

An Act to amend The Customs Tariff, 1907.

An Act for the relief of Arthur Alexander Reinhardt.

An Act for the relief of Charles William Wilson.

An Act for the relief of Aimée Rita Elliott.

An Act respecting The Algoma Central and Hudson Bay Railway Company.

An Act to enable the Corporation of the City of Brantford to own and operate the Grand Valley Railway.

An Act for granting to His Majesty certain sums of money for the Public Services of the financial year ending the 31st March, 1917.

Hon. Mr. SPROULE—The subject to which the hon. senator from Halifax (Hon. Mr. Power) has drawn the attention of the House is one that I have brought up at different times in the other Chamber. It is one that has always appealed to me with a great deal of interest, because it seemed to me that Parliament had in that line an opportunity of doing a great deal of good for a class of the citizens of Canada that are always powerless to help themselves; I refer to the poor. We have an industrious class of citizens in Canada. We have those that are very poor; we have those who are able to make a living, and, with industry, economy and frugality, save a little from time to time for the future. But the question with them has always been this: While the labouring man, though he may be working in a ditch, can earn something more than is necessary to keep himself and his family, what is he going to do with his savings? He is not a financier and cannot invest. If he does invest, almost invariably he will lose his money. He lends it out to some of his neighbours without taking a note, taking their word for it; he is not a business man. He lends it out to some man who offers to pay him a higher rate of interest, or some agent who is selling stock who offers to pay him a higher rate of in- 12 per cent. That he thinks is an immense return, and he is tempted to invest his money, when the chances are, eight times out of ten, that if he does he loses his money. Now it has always seemed to me, not only desirable, but one of the duties devolving upon Parliament, to provide some place where the small earner can safely invest his money and get a reasonable rate of interest. Now, the savings bank furnishes the best security, because the whole country is at its back; but the very low rate of interest the Government banks allow on deposits offers little or no inducement for him to invest his money there. Consequently, he is still likely to hunt for some place where he

can get a larger return, and invest it where he nearly always loses it. As I have looked into this question from time to time, it has seemed to me that the Government could very well remedy this condition. They have in the Post Office Savings bank and the Government savings banks institutions that would enable them to meet this need for the poor people of the country. Why don't they do it? Is it because there is want of sympathy for the poor? I do not think so. Is it because they do not desire to help the poor man? I do not think so. It is largely due to the fact that the financial institutions of the country, which have money to loan out and desire to get money in, are so influential with the Government that they will never allow them to put the rate of interest at what it should be for the poor people.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. SPROULE—Many years ago, when the proposal was made to increase the rate of interest from 3 per cent to 3½ per cent, I favoured an increase very strongly, but thought the rate should be raised to 4 per cent. What was the sum of the arguments against it? That if you put it at 4 per cent people would put away large amounts of money where they could recall it at any time. Now, it is the easiest matter in the world to prevent that by saying, as was done when the interest rate was increased before, that no individual shall deposit any more than a given amount each year. I think the amount then was $1,000. That was too high. It shut out the municipal corporations; it shut out trustees; it shut out many others who had money to lay away for a short time and desired to draw it back at any time if they needed it. Therefore it was confined comparatively to the small depositor. Now we are told that the small depositor does not take advantage of it. Well, I have the return before me, and I notice that in 1914 there were 143,320 depositors. How much money had they on deposit? They had $191,441,000. In 1915 it had fallen to $39,000,000; each depositor had less than $200 on deposit. Now, to my mind that is indisputable evidence that it is not the large money holder, but the poor man, who puts his money in the savings banks.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. SPROULE—If the provision I have suggested was made for the poor man we would have the labourer, the artisan, the mechanic, the small farmer, those who could save a little, putting their savings away, and one of the strongest incentives to industry, frugality, and economy is having some kind of an account that is bearing interest. But it is very poor satisfaction to a man labouring on the road or the streets, if he has a little money to invest, to know that there is no place where he can safely keep his money at a higher rate of interest than 3 per cent. When it was up to 3½ per cent before I was told, and I think the information is correct, that it was the banking and financial institutions of the country that forced the Government to reduce it. Why? To compel the poor people to put their money in the banks and get only 3 per cent. If a poor man who has money in a bank at 3 per cent wants, later on, to borrow from the bank, he finds that he has no credit there. The banking institutions of this country, in my judgment, have ever fallen short of their proper functions. What are banks? They are public utilities. What is a public utility expected to do? To serve the public. A railway company is built, not to serve the rich, or those who are shipping their tons of freight merely, but to serve the poor man, who wants to transport his goods or himself. Railroads are public utilities, and we surround them with laws that compel them to treat all men, rich and poor, alike and on the same principle. A bank is a public utility in one sense of the word—in my judgment in every sense of the word—yet it falls far short of serving the public in the way a bank should do. I am of the impression, and have always been of the impression, that every honest, industrious man in this country should have a limit of credit, however small, in some bank where he could get money. His honesty ought to command some limit of credit. But what can he get in a bank if he wants to borrow? He cannot get a dollar. I have more than once cited a case that came under my knowledge many years ago with reference to one of the banks of the country. A farmer, living within a few miles of my home, whose father passed over to him 200 acres of land free of all incumbrance, a large stock of cattle, a fine brick house, frame barn, large stable, stock, implements and everything, was refused by the bank only a short time afterwards a loan of $25 unless he would get a backer to his note. Now, poor men cannot get backers and if they could

they do not like to do it, because if one poor man must back a note for another, it compels him to do the same for some one else, and it always makes him afraid of getting him into trouble if he does so. What is the result? Such men are shut out from those public utilities, because no matter how honest, industrious or frugal they are, they cannot borrow unless they get somebody to back their note; their property would not be regarded as a sufficient backing for them. I am pleased to say that the banks have changed their opinion very much, and to-day are dealing very largely with the farmers. I have always held that the farmer is the most stable man in the country; he cannot dispose of his property in a day without it being known to the world, and therefore he cannot get out in the middle of the night without paying his debts. Notwithstanding that, the bank would not lend to a farmer unless he got a backer every time. He is not compelled to do that now. What does a poor man do when he wants to borrow? He goes to a bank, where he is getting 3 per cent and he has to pay 7 or 8 per cent. He thinks the difference between what he gets and what he has to pay is an awful hardship. The requirements of the bank are so great that he is embittered against the institution. It is no great wonder that the iron is driven into his soul, that he rarely ever forgets it, and you are building up between him and them an impassable barrier that makes him always regard them as his enemy. I think this could be remedied. In Germany years ago they remedied this trouble; how? By starting small banks for the farmers, and arranging that farmers could get small loans at a moderate rate of interest. We tried that here three or four times, but never could devise a scheme that seemed to be absolutely workable by those whom we consulted. Therefore, it was never accomplished; but I think that Parliament is designed for the purpose of overcoming such difficulties, and if we apply ourselves to the task and endeavour to find a remedy, we can find one, and meet one of our great needs. While only 143,000 people have taken advantage of the saving bank we might easily have ten times that number of depositors if we offered them a stronger inducement by paying them a little higher rate of interest.

The Government, as the hon. senator has said, are borrowing money all the time. We sold our bonds only a few months ago, and what did they realize? Five per cent on those bonds. Why, if you were giving poor people of the country in the savings bank—I do not care what the nature of it was—5 per cent for their money, there would be two or three times more money deposited in the Government Savings banks of the country than what those bonds were sold for, and that was $100,000,000. When we raised that interest to 3½ per cent a few years ago what did we find? That the deposits went up and up from year to year until, speaking from memory, there was about $48,000,000 to the credit of the poor people in the country. The rate has been reduced and it is going down all the time until at present it is only $39,995,000. And why is it so low? The Government might just as well have had the use of the money from their own citizens at home, paying them a higher rate of interest than they are paying now, and yet pay them less than they are paying others who have bought the Government bonds at the present time; and that would be a strong inducement for the poor man to put his money away where it would earn him a little better rate than he can get at present. For these reasons I have always said that the Government has never done its full duty in this respect. They would have money on deposit that they could use for many purposes, and prevent the necessity for that borrowing abroad and paying a higher rate of interest for it if they could only arrange to get the money from their own citizens at home and pay them a little higher interest than the current rate. I think that might well be paid, but surrounded by such conditions that no one could take advantage of it to deposit more than a given amount a year. The Government might well pay at least 4 per cent for that money and it would be one of the very best institutions for the poor people of this country that Parliament could establish.

Hon. Mr. CLORAN—I feel that this debate should not be closed without paying a tribute to the hon. the senior member for Halifax and to the hon. senator from Gray who has just taken his seat. Tribute is due to them on behalf of the many as against the few. The many have their small earnings in the banks and in certain institutions; the banks grab those earnings and use them not only to their own profit but to their own luxury, to their own extravagance as against the welfare of the many. I sincerely hope that the press may get

hold of the reports of those two speeches, though we have very little chance in thi honourable House to have such debates recorded in the public press. I am sorry to state that what happens to the poor depositors happens to be the man who advocates the people's rights in this honourable House, he is largely suppressed through financial and other influences. But truth will leak out and will have its day sometime, and when the hon. senator from Halifax puts this motion before the Senate year after year, he is doing a work that will bear fruit, probably not in his day, but it will bring flowers to his grave.

Hon. Mr. POWER—That's cheering.

Hon. Mr. CLORAN—Well, my dear senator, reforms are not hurried, and cannot be hurried in one year, five years, or ten years. All I ask is that the agitation you have started in this honourable House will bear its fruit and redound to your name and to your renown. I am glad, more than glad, to have heard the speech delivered by the hon. senator from Grey, the ex-Speaker of the House of Commons. It appeals to me, to every fibre of my heart and mind. He has spoken for the multitude of this country as against the few who are mulcting the multitude for their own benefit. His words to-day may not bear fruit immediately, but his words to-morrow and the day after will bear fruit, and as he says, it is the duty of Parliament to stand by and uphold the interest of the masses as against the small privileged classes. That principle has got to be maintained and will be maintained. We are doing this here deliberately, calmly and coolly. Let people who misuse their privileges—I do not say rights—beware of the day of reckoning that has happened elsewhere, when the people will call on them for the vindication of their rights, long ignored. I will not enter into the merits of the question, the merits are so simple. Why take the poor man's dollar and allow him only three cents, and when he wants to borrow a dollar charge him seven cents? Why take the poor man's dollar at three cents and use it to build up castles at every street corner in all the cities of the Dominion of Canada, even in the hamlets of the great Northwest? And inside these castles of five, ten, fifteen, twenty stories high, what do you find? Why, chambers and offices fit for kings and emperors, all luxury. Who pays for that luxury and extravagance? The poor maid in my house who banks her savings, $15, $16 or $20 a month; the poor man who is able to save out of $9 or $10 a week, $1 or $2, which he deposits in a bank at the corner each week, and so on; and our kings of finance, who dominate the world, who rule Canada, take the poor man's money, the poor servant girl's money to enrich themselves, to live in luxury. Now, is it not up to Parliament to straighten up that line of business and call them down? Is it not time for the Parliament of Canada, like the parliaments of other countries, to step in and say to the financier, "You are taking the poor man's money; use it; use it not extravagantly; use it for his benefit, not solely for your own and for your own luxury." It is up to Parliament to do so. I am with the hon. senator from Grey in making that proposition and I think the country will thank him and thank the hon. senator from Halifax for having called attention to this matter, not that we will or can effect an immediate reform, but the seed that has been planted is healthy, it has been planted in fertile ground, and it must grow and bear fruit.

Hon. Mr. BEIQUE—As was very properly stated by the hon. member from Grey, banks are public utilities and they should be open to all fair criticism. The hon. gentleman who has spoken on this question, not only to-day but on former occasions, seems to be under the impression that the banks are close corporations.

Hon. Mr. CLORAN—Quite open; they take whatever they can get.

Hon. Mr. BEIQUE—The stock is open to be purchased by anybody. It is quoted on the stock exchange, and shares can be had by poor as well as by rich people. The shares are $100 each, and it does not require a large fortune to become a shareholder in any bank. Bank stocks are rated at a hundred, a hundred and fifty, two hundred per cent and more. Why? Because the shareholders in the past have deemed it advisable, for their own protection and for the protection of the public, instead of dividing profits from year to year, to put a portion of those profits aside as reserve. And therefore the capital of banks as a rule has been doubled by accumulated reserves or accumulated profits. That is the reason the banks' stocks are sold, as I have stated, at 150 and 200 per cent, but if hon. gentlemen will scrutinize a little further they will find that, as a rule, any

shareholder in those banks who, as an original shareholder has paid par for his stock, or has acquired it at a subsequent date at a higher price, is not getting much more than 6 per cent on his money, and has not been getting much more than that. I think we are all proud of our banking institutions.

Hon. Mr. CLORAN—What has the hon. gentlemen to say about the Bank of Halifax which, I understand, last year paid 100 per cent dividend.

Hon. Mr. McSWEENEY—There is no bank of that name in Halifax.

Hon. Mr. BEIQUE—I am not aware of any bank that paid 100 per cent.

Mr. McSWEENEY—The Bank of Nova Scotia paid 14 per cent.

Hon. Mr. BEIQUE—The hon. gentleman is altogether mistaken about any bank paying 100 per cent. Shareholders are getting about 6 per cent on their investments. We are all proud of our banking institutions, because they have rendered a real service to the people. They have been the means of protecting the commerce and assisting the development of the country.

The hon. gentleman from Grey stated that in other countries there are banking institutions from which farmers can borrow money. That is quite true, and for my part I wish we had in this country institutions of that kind, and the sooner we have them the better. Unfortunately we have not yet reached that point, and all we have been able to do so far is to establish banks, not for the purpose of lending money to farmers, but for commerce and industry. Hon. gentlemen can understand it is quite a different thing lending to farmers who are not supposed to be able to pay at the expiration of three or four or five months or even a year and lending to people engaged in commerce and industry, who are supposed to turn over their money several times in the year and be able to liquidate their accounts. No banks such as we have could continue to do a safe business if they were lending to farmers because they would not be in a position to command their capital, when it is required, and it would very seriously interfere with commerce and industry. It is not because farmers are not able to give proper guarantees that the banks refuse to lend to them. It is because the banks are not established for that purpose. They are established for the purpose of lending to commerce and trade, and not to farmers. The farmers are expected to borrow from other farmers, or from capitalists who can afford to lend their money for two or three or four or five years.

Hon. Mr. SPROULE—That makes the argument stronger against the banks.

Hon. Mr. BEIQUE—It is suggested that the Government should raise the rate of interest on deposits which are made payable on demand. There are two provisions in the Savings Bank Act. There is the provision allowing any one to deposit with the Post Office banks a sum not exceeding $500, which he can withdraw at any time without notice, and on which the Government is allowed to pay an interest not exceeding 4 per cent. There is, however, another provision which is to be found in section 10 of the same Act. Chap. 30 of the Revised Statutes which allows the Government to issue certificates of deposits in sums of not less than $100 and bearing interest at a rate not exceeding 5 per cent per annum to depositors having like sums at the credit of their ordinary deposit account, and desiring to transfer such sums from the ordinary deposit account, bearing the interest specified therein. This provision allows the Government, if they wish to do so, to increase the rate to 5 per cent, but the deposit instead of being payable on demand becomes payable after a term, and it is for the Government to determine the term. It was announced a month or two ago, I think by the Finance Minister, that possibly the Government would borrow in the country through deposits of that nature sums of $100 and more in order to allow everybody willing to invest with the Government to do so on certificates of that kind. For my part I see no objections to that, and I think the banks have no objection to that being done, but that is a different thing from a deposit payable on demand. Hon. gentlemen must bear in mind that when a bank or the Government pays a rate of 3 per cent to depositors, it does not mean that the money costs only that 3 per cent to the bank or Government. The bank, like the Government, must have officers and clerks, and if any hon. gentleman takes the trouble to inquire into the matter, he will find that the money, instead of costing the bank 3 per cent, costs the bank 4 per

cent, because of the large expense of employing officers and clerks

Hon. Mr. EDWARDS—And what about reserve.

Hon. Mr. BEIQUE—I was coming to that. The banks have on deposit over $700,000,000, but to be able to have such an amount which may be withdrawn at any time, they are obliged to keep a reserve of 25 to 30 per cent ready cash in order to answer all demands, and which reserve is bringing no interest whatever. Any banker who knows his business would not allow his bank to go on without keeping that reserve. They do that because otherwise they might be called upon to pay a large amount of deposit, and they might be unable to do so. Therefore if you take into consideration this large amount of reserve our banks have to keep in their vaults for the purpose of being ready at all times to meet demands which may be made upon them, you will find the money is costing the bank much more than 3 and 4 per cent.

Hon. Mr. SPROULE—Does the hon. gentleman not think the privilege which they possess of stamping pieces of paper and calling them note circulation, which note circulation is away above their reserve, and upon which they pay no interest whatever, ought to off-set the interest on the deposit?

Hon. Mr. BEIQUE—Of course the banks enjoy privileges which are well known, but they pay for the privileges. The rate of interest which comes to the bank shareholders, I say, is but a reasonable rate, and if, through legislation or otherwise, our banking institutions were to be seriously interfered with, it would create a great deal of mischief in the country. It is very well for hon. gentlemen who may not have made a complete study of the question to say, "Well, it is the poor, it is the small earnings that should be protected." We all agree that justice should be meted out to everybody in the community, but it would not be rendering justice to the small earners if, through bad legislation, serious disturbance was brought on. Hon. gentlemen may find that on the other side of the line, through bad legislation, the railways were very seriously interfered with; it was through cries of this kind "that the rates on railways were altogether too high, and that they were made for the protection of the shareholders and large corporations." What was the consequence of that cry? It was that the rates were reduced, and to-day about one-third of the railway mileage of the United States is in the hands of receivers, to the great detriment of the whole country. It is all very well to criticise the banks, and try to induce the Government to raise the rate of interest, but before doing so, I hope that the hon. gentleman who takes upon himself the responsibility of making the suggestion will thoroughly inquire into the question. The raising of the rate of interest by the Government would compel the banks to also raise their rates.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. BEIQUE—And the raising of the rate of interest by the bank would necessarily either put the banks out of business, or compel them to raise the interest upon commerce and industries. I think that the course which has been followed is a sound one.

Hon. Mr. LOUGHEED—My hon. friend in the inquiry has asked the question whether it is the intention of the Government to increase the rate of interest paid to depositors. I can only say to my hon. friend that it is not the present intention of the Government to increase the rate of interest, and very much for the reasons which I have stated on previous occasions. I suppose my hon. friend is not unaware that the administration of the Government savings banks, as well as the Post Office banks, involve a very considerable cost, which I understand exceeds at least one per cent. In the next place the Government of Canada, or Canada, must necessarily, for many years to come, be a borrowing nation. It is not desirable that the Government should do business entirely upon savings or deposits of its own people. It would be quite obvious to hon. gentlemen that every dollar that is deposited in the Post Office saving bank and in the Government saving banks, means withdrawal from legitimate channels of trade of that money which should be in circulation and which must necessarily be of very great advantage to those who are in trade in the Dominion.

Hon. Mr. CLORAN—What about France?

Hon. Mr. LOUGHEED—It means furthermore that if the Government should increase its rate of interest in the Post Office saving banks, the banks likewise must increase their rate of interest to depositors. This means that the business people must pay for that increased rate of interest. It

is quite manifest that if the depositors would receive an additional one per cent on their deposits, the business public of Canada must pay to the banks that additional rate for the business that they do with the banks. As was very well observed by the hon. gentleman from Ottawa a few moments ago, when the hon. gentleman from Halifax was speaking, the reason the Government is called upon to pay a larger rate of interest than that which it pays depositors, is that it borrows this money for a substantial length of time. If my hon. friend had the necessary collateral he could go into the New York market and borrow himself at two and a half or three per cent. Consequently it is obvious that where money is borrowed for a definite length of time it will command a higher rate of interest, than if it is subject to payment on demand. All the deposits in the Post Office and Government savings banks are practically payable on demand. I think the longest notice that has to be given is thirty days. Under the circumstances the Government, much as it would like to meet the wishes of depositors, does not see its way, in view of the financial status of the market to-day, to increase the rate of interest beyond three per cent.

COST OF DAVIDSON COMMISSION.

INQUIRY.

Hon. Mr. BOYER inquired:

What has been to the 1st April, 1916, the total expenditure of the Davidson Inquiry Commission, and how much has each member received?

Hon. Mr. LOUGHEED—The answer to the hon. gentleman's question is as follows:

Total expenditure to April 1, 1916, $16,800.11.

Sir Charles Davidson, sole commissioner, on account per diem allowance, which allowance includes all living and moving expenses, save transportation expenses outside of Quebec and Ontario, $4,225.

Hon. Mr. POWER—Although not strictly in order. I express my gratification at the character of that return, the amount is so moderate. It seems to us very moderate at this time. I understand that the gentleman who acted as counsel for the Government during that long inquiry (Mr. Thompson) declined to receive any remuneration for his services. He made no charges, as I understand, for his services as prosecuting officer, so to speak, and I understand the same gentleman is now about taking his passage across the Atlantic in khaki uniform.

PURCHASE OF QUEBEC AND SAGUENAY RAILWAY.

MOTION.

Hon. Mr. CHOQUETTE moved:

That an Order of the Senate do issue for the production of copies of all petitions, correspondence, etc., relating to the purchase, by the Government, of the Quebec and Saguenay railway.

He said: A few moments ago I was asking the Government to stop spending money which I thought they were spending to no good purpose. Now I am going to ask the Government to spend money in the public interest, and will help them to spend it. I assure them that if they make the expenditure as I advise, I shall not only not blame the Government for doing it, but will praise them. I want to help the Government to do something which I have been anxious to see accomplished for some years. I am alluding to the Quebec and Saguenay railway. This is not a political matter. It is a question of public interest directly for the district of Quebec and indirectly for the country at large. The question of the Government acquiring this railway has been before the public and Government for a very long time, and if I am correctly informed, last session the question was pretty nearly settled, and a Bill prepared to be presented to accomplish that object. I am sorry the Bill did not go through, because it would have saved the country money and would have helped, I repeat, to develop the Quebec district and benefit the country at large by putting that railway in working order. The Quebec and Saguenay railway is partly built in Montmorency and Charlevoix counties. The company was organized many years ago, and I was vice president at the time. They began work. Though I am not interested in the railway now, I always had a good opinion of it, and thought it should be completed. There are parishes along the north shore of the St. Lawrence which are prosperous enough and have always paid their share for the building of other railways through the country, and they have been asking for communication between Quebec and Baie St. Paul and other places on the north shore of the St. Lawrence. Some years ago the company proceeded with the construction of the railway. I think the rails have been laid part of the way between St.

Joachim and Murray Bay, and it will take but a small amount of money to finish the line. The work was very difficult, through caves and rock, and must have cost between $60,000 and $70,000 a mile for many miles. It is now ready for the ties, and could be put in operation, perhaps, in four or five months. It is thought by Quebec people, and in the interests of Quebec and the country at large, that the Government ought to acquire that railway from the Union station at Quebec and continue it as far as Murray Bay to St. Catherine Bay as a feeder to the Transcontinental. We all know that Murray Bay is a summer resort, and I am confident that the revenue will be large enough to pay the interest on the bonds and expenses of operation. We all know that there are industries in that region which cannot be utilized for want of communication. I might say, en passant, that this line of railway, when in operation, will develop such industries as the Baie De St. Paul Lumber Company, the St. Simeon Lumber Company, the Price Bros., Ltd., the Irene Lumber Company, and the large farming population below Quebec. The only means at present in winter of bringing their produce to market is by travelling sixty or eighty miles over the mountains to Quebec. The Government is, therefore, obliged to send a special boat to those places before the close of navigation to transport poultry, beef, mutton, and all other products of the farm to market. With this line in operation the Government will save the cost of running that boat. At the pressing demand of the numerous population of that section, the Government, some years ago, during the Laurier regime, established some communication between Rivière Ouelle and Quebec. They built a line from the Intercolonial railway to the Rivière Ouelle wharf, and have had a steamer to make a crossing whenever possible in order to give means of communication to the population on the north shore. From November to May they could have no communication whatever with Quebec, except by driving, as I said, over sixty or eighty miles of mountain roads, the trip by that route some times occupying days. The Laurier Government thought it only fair to spend money to give an outlet to these people. They are the oldest parishes below Quebec, and have always paid their share for providing public utilities. They voted money to build this part of the railway to Rivière Ouelle, and to have a crossing there. Unfortunately, the crossing could not be regularly maintained in the winter time. I put a question the other day as follows:

How many trips were made by the steamer Champlain, or any other steamer under Government control, between Rivière Ouelle wharf and St. Irenée or Murray Bay from the 1st December up to the present date?

And I received the following answer:

Hon. Mr. Lougheed—The steamer Champlain made fifty-two round trips between Rivière Ouelle wharf and St. Irenée wharf or Murray Bay from the 1st December, 1915, to date.

They could not even cross once in two days. I was not satisfied with that, and I asked another question on the 3rd March, as follows:

1. What was the cost, from the 1st July, 1913, to the 1st March, instant, of the maintenance of a ferry between the Rivière Ouelle wharf and St. Irenée and Murray Bay?

2. Have there been many complaints respecting the efficiency of this service?

3. For how many days, each winter, has the service been completely interrupted since the 1st December, 1913?

And I received the following answer:

Hon. Mr. Lougheed—The answers to the hon. gentleman's questions are:

1. $143,836.08.

2. Several complaints have been received this winter.

3. December 24, 1913, the Champlain did not cross owing to NE. gale and snow storm. She was withdrawn from the service December 27, and came up to Quebec where she remained until March 19. She resumed her regular service March 20, 1914. Her withdrawal was due to the filling in of the "L" on west side of wharf, to enlarge same, this being the sheltered side and her berth, and the work not being completed, she could not remain there. 1914, she missed two regular trips in December. 1915, she missed eight regular trips in January, 12 regular trips in February and 8 regular trips in March. 1916, she missed 12 regular trips in January, 18 regular trips in February and 17 regular trips up to March 22, inclusive.

So in March last, though this winter was not very severe, in 22 days the boat crossed only five times. So you will see at once the necessity for establishing the communication demanded by these people. Hon. gentlemen will see that in two years it cost nearly $150,000 to maintain that boat service there, not taking into consideration the cost of the boat, about $75,000 a year. We can dispense with that boat and have $75,000 a year to meet not only interest on the railway bonds, but nearly enough money to pay interest on the capital to buy up the road, complete it, and put it in operation. That would give us a regular service. The rail-

way will pay for itself, and we will have the Champlain boat, which has been maintained there practically for nothing, for other services, so that on the whole it will be a good thing for the Government to take up that railway.

Last year the Government bought three railways in New Brunswick and the Lower Provinces—the New Brunswick and Prince Edward Island railway, the International railway of New Brunswick, and the St. John and Quebec railway. They took them as feeders to the Intercolonial railway, I suppose. Well, they paid well for those lines, probably more than the Quebec and Saguenay railway would cost, and the people in those localities had already good means of communication. The Quebec and Saguenay railway in one way or another will have to be taken over by the Government, and it would be better if before it deteriorates much more. As I said, what has been done in New Brunswick they should do in Quebec. In New Brunswick they had the Intercolonial railway system, yet they came to the rescue of these companies and took over those three railways. This is not a party question. Moreover, it is not the company alone that is seeking to have that railway taken over by the Dominion Government and finished, but it is also the province of Quebec. In order to show that it is no party question I shall give the names of most of the important men in Quebec, many of them Liberals, who favour this policy. First, ex-Mayor Drouin, who gave his opinion last fall in the newspapers. I also give the names of Mr. Letourneau, M.P.P. for Quebec East; E. Leclerc, M.P.P, for Quebec Centre; Jos. Picard, ex-president of the board of trade; Mr. Pettigrew, wholesale merchant, one of the most influential men in Quebec—all these are Liberals.

Hon. Mr. BEIQUE—Are any of them shareholders?

Hon. Mr. CHOQUETTE—I do not think one of them is. But they are interested in the people who need this communication. Mr. Drouin is a manufacturer; so are Mr. Picard and Mr. Letourneau. Mr. Pettigrew is a wholesale merchant; and those merchants, in order to be sure that their goods will be delivered, are filling orders of the merchants of Murray Bay and other places, in the fall and in the winter, when they want more goods they have the greatest difficulty to get them, because the only way is by the steamer Champlain, which this last month crossed five times in twenty-two days. This, I repeat once more, is not a political question, it is a business matter, a matter of public interest. I observe that in the Quebec Board of Trade some days ago the matter came up and they favourably advocated it. I am not going to tell the Government what course it should pursue, but the Government has a right to expropriate the railway and fix the price by arbitration or by the Exchequer Court. Let the Government do one thing or the other, and I do not see who is going to oppose their action. I know some of the parties interested in the company may have enemies; some will fight the company because they think it will serve this one or that one. I do not care who is interested in the company; but I do care for the welfare of the population of the North shore. The railway has been started, but unfortunately it could not be finished. It is a matter of public interest and it should be taken over and finished. The entire population on the North shore of the St. Lawrence and the city of Quebec have a right to expect that some money should be spent on a public utility like that, just as the Government is spending money in the West.

Hon. Mr. CLORAN—Hudson's bay.

Hon. Mr. CHOQUETTE—On the Hudson's Bay railway they are spending millions on millions. It is a railway which has been started, and it ought to be finished, though the result of its operation is very poor. But in the case of the Quebec and Saguenay railway we know what the result will be. Under these circumstances, without taking more time I ask the Government to take the matter into consideration at once. This work has been delayed for 2 or 3 years; it ought to have been in operation before now. It will be one of the best paying railways in Quebec, and I dare say in Canada. The summer travel on the line will be enormous. It will be one of the attractions on the St. Lawrence, starting the railway from Quebec following the shore of the St. Lawrence and going as far as Murray bay. It will be profitable even as a scenic route, and an advertisement for Quebec and Canada. In winter time there will be a large freight business on account of the manufacture of lumber, pulp and spools. I think those industries there will be developed and the people there will re-

ceive something in return for what they have paid towards providing other facilities during the past century. If all the acts of the Government were as good as this one, and if the public money were always as well spent as it would be in this enterprise, the Government could easily justify all their actions.

Hon. Mr. BEIQUE—Could not the hon. gentleman wait until the war is finished?

Hon. Mr. CHOQUETTE—Why wait for the finish of the war when we are spending millions for the Hudson Bay railway? I do not see why my hon. friend has asked the question. He ought to be one of the first to advocate the finishing of that railway, for he knows as well as I do the situation; he knows the locality, he knows it would be a good thing to promote the railway there. Many things might well wait for the finish of the war, as the Hudson Bay railway, for example, but it did not wait. It is to be finished, and the Government is doing well not to wait. This Quebec and Saguenay railway is a most pressing project actually for the city of Quebec and for the public at large.

Hon. Mr. CLORAN—"Wait till the war is over," says the hon. senator from De Salaberry. If the forefathers of those people had waited till the war was over in 1773 and 1812 Canada would not be a part of the British Empire. The men along that coast are descended from men who went to the defence of the British flag against the United States from Quebec to Saguenay, on both sides of the river St. Lawrence. They had nobody to cry to them, "Wait till the war is over and we will do our duty." They went and did their duty, and they saved Canada for the British Crown. And now, when the hon. senator from Grandville asks, not for a favour but for a public right, we are told "Wait until the war is over." I know that country; I have been going there for 55 or 58 years. It is a glorious country, with the most majestic scenery in Canada along the north shore down to Tadousac and through the Saguenay river. And we are asked by a member from the province of Quebec to wait till the war is over to give those people what they are entitled to. I say it is not right, it is not fair. The hon. senator from Grandville has put up to the Government an honest and a fair proposition. He is not asking for anything extravagant; he is not asking for anything wherein the public money will be squandered. Those people have lived there now for the past 250 or 300 years without accommodation during the winter time except by way of snowshoes and carryalls. These people have lived there and cultivated that land, have hewed down forests, have given to the province of Quebec and to Canada at large numbers of valuable citizens. This Parliament is most anxious to grant to the Eskimos and the reindeer of the north a railroad costing millions upon millions through the wilds of snow and ice to get to ports that will never be used except two or three months in the year. Yet here is a territory, occupied and cultivated for the past one or two hundred years by those hardy pioneers, and when they ask for the completion of this railway we sit tranquilly by and say, "No, you will not get it until the war is over." Now, I appeal to the leader of the Government to put this matter before his colleagues and tell them that this road is a necessity. It is not going to a port which nobody knows; it is not going through a territory where nobody lives; it is going through one of the most attractive regions in the province of Quebec. Although the hon. leader of the Government comes from the far-away West, that blessed land, I hope that he will have a little consideration for the north shore of the St. Lawrence river from Quebec to the Saguenay. I ask him that as a favour if he will not grant it as a necessity.

The motion was agreed to.

SECOND READINGS.

Bill No. 33, An Act to amend the Bank Act.—Hon. Mr. Lougheed.

Bill No. 29, An Act respecting certain patents of the Pedlar People, Limited.—Hon. Mr. Taylor.

Bill No. 32, An Act respecting the Toronto, Hamilton and Buffalo Railway Company.—Hon. Mr. Milne.

MOUNT ROYAL TUNNEL AND TERMINAL COMPANY BILL.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 12, An Act respecting Rentals Payable to the Mount Royal Tunnel and Terminal Company, Limited.—Hon. Mr. Lougheed.

He said: It is desirable that I should explain why I am introducing this Bill.

The object is to overcome a difficulty which has been raised in connection with certain legislation that is set out in the Bill, and it is desirable that this should be done during the present session. It would have been introduced as a Private Bill by the companies involved were it not for the fact that it was only recently that the difficulty was discovered, hence the procedure that would have to be followed in the case of a Private Bill would have been impossible at this late stage of the session. In 1914 a lease was prepared from the Mount Royal Tunnel Company to the Canadian Northern, the Canadian Northern Ontario, and the Canadian Northern Quebec. The lease itself was confirmed by chapter 78 of the statutes of 1914, and in one of the clauses of the lease it was provided that all the rents, or sums reserved, or made payable by virtue of the lease were for all purposes to be taken to be " working expenditure " as defined and provided for in the Railway Act. The rental or sums reserved under the lease were simply the interest upon the construction bonds and the maintenance and improvement bonds from time to time issued under a mortgage which was made to the National Trust Company and the British Empire Trust Company in connection with the financing of the project, together with any other sums payable by way of fixed charges, such as taxes, etc. Under the Railway Act as it existed in 1914, and as it still exists, the term " working expenditure " included rentals of properties other than leased lines. The Tunnel Company's properties were 95 per cent property, but about 5 per cent of leased lines, since a railway track ran through the tunnel, and therefore to make assurance double sure it was specified in one of the clauses of the confirming Bill, as an express enactment, that all the rents or sums reserved under the lease set out in the schedule should for all purposes be included in the working expenditure of the lessees, parties to the lease, as defined and provided for in the Railway Act. Under the provisions in the Railway Act relating to the borrowing of money and the issue of bonds it is provided that the company may secure its bonds by charges upon the property, assets, rents and revenues of the company specified in the trust deed, subject, however, in the first place to the penalties imposed under the Railway Act, and second to the working expenditure; that is, that the working expenditure ranked upon all the properties of the company after the penalties imposed under the Railway Act and before the principal and interest of any mortgage securing an issue of bonds or other securities. Recently counsel acting for some proposed purchasers of the bonds disputed the effect of the 1914 enactment, stating that while it might have the effect of making the rentals under the lease rank as working expenditure ahead of the principal and interest of bonds secured after 1914, it would not have that effect as to bonds issued prior to 1914. They based this conclusion upon a section of the Interpretation Act which says that provisions in an enactment of the nature of a private Act shall not affect the rights of any person except to the extent stated in that Act. But for the purposes of removing the doubt the present enactment is brought in for the purpose of declaring the exact effect of the 1914 legislation, the effect being exactly as stated in the Declaratory Act.

If hon. gentlemen will look at the Bill they will observe that the schedule sets out at the end of the Bill that part of the clause which is in doubt. It is therefore for the purpose of removing doubts arising from time to time that this declaratory legislation has been introduced.

Hon. Mr. CLORAN—It is a private Bill after all.

Hon. Mr. BOYER—Have you any idea when the tunnel is to be finished and in use?

Hon. Mr. LOUGHEED—I have not, I am sorry to say. I have no doubt that when the tunnel company get this money they will be able to go ahead.

Hon. Mr. BOSTOCK—Are not the lessees in this agreement responsible for the payment of those rents?

Hon. Mr. LOUGHEED—Oh yes, they are responsible in this way, that the companies named pay the rent out of their revenues. The Railway Act itself establishes the principle that the working expenditure is chargeable against the revenues of the companies.

Hon. Mr. CLORAN—A first lien.

Hon. Mr. LOUGHEED—Yes, a first charge.

Hon. Mr. BOSTOCK—This legislation affects the lessees a good deal more than it does the tunnel company.

Hon. Mr. LOUGHEED—Yes; well, the tunnel company is interested to the extent of being assured that their rent will be a first charge, or at least a charge ranking immediately after penalties, against the revenues of the companies whose names I have mentioned.

Hon. Mr. BEIQUE—Will it affect any of the bond holders?

Hon. Mr. LOUGHEED—No, except to the extent of the rents so charged.

Hon. Mr. BEIQUE—I suppose it is the intention to send this Bill to the Railway Committee?

Hon. Mr. LOUGHEED—If it is the desire of the House I shall do so.

Hon. Mr. BOSTOCK—Could my hon. friend state the amount that is involved in this matter?

Hon. Mr. LOUGHEED—I do not know what the rental is, but the rental is equivalent to the interest chargeable against the bonds of the tunnel company; that is to say, the tunnel company has carried out its enterprise and has issued certain bonds, and the companies using the tunnel will, out of their revenues, pay the interest on those bonds with the proceeds of which the undertaking has been carried on.

Hon. Mr. BOSTOCK—In the original agreement it is stated that the sum is £120,000, greater or less. I was wondering whether it was increased or less.

Hon. Mr. LOUGHEED—I know nothing about the amount.

The motion was agreed to, and the Bill was read a second time, and referred to the Committee on Railways, Telegraphs and Harbours.

BILL INTRODUCED.

Bill (L-21), An Act for the relief of David Whimster Rhodes.—Hon. Sir Mackenzie Bowell.

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

Thursday, April 13, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE NAVAL AID BILL.

INQUIRY.

The Order of the Day being called.

By the Honourable Mr. Choquette:

April 11.—That he will call the attention of the Government to an article appearing in the Ottawa Citizen, of the 4th April, and will ask if this is a correct report of the Prime Minister's statement.

Senate Would Have Still Killed Bill.
Premier Explains why Naval Aid Legislation was not Introduced in 1913.

A statement regarding the Government's naval policy was made in the Commons by the Prime Minister. "In the autumn of 1913," he said, "the Government had under consideration the reintroduction of the Naval Aid Bill of 1912, but thought such reintroduction undesirable unless there was some reasonable prospect that it would not be defeated in the Senate. Confidential inquiries were made for the purpose of ascertaining whether such a Bill either in its original form or in some modified form might be expected to pass the Senate; thus enabling Canada to assume her proper share in maintaining the common defence of the Empire."

It was reported to the Prime Minister as a result of these inquiries that no assurance could be given of the acceptance by the Senate either of the Naval Aid Bill in its original form or of a modified proposal which the Government were prepared to consider. For this reason no action was taken as it was thought undesirable to renew the controversy without any reasonable hope that the Government's proposal would be carried in the Senate.

Inexpedient at Present.

In 1914, with the view of formulating a permanent policy of naval defence, it was arranged with the Admiralty that Admiral Sir John Jellicoe should visit Canada in August or September for the purpose of giving to the Government the benefit of his wide knowledge and experience. While arrangements for his visit were still in progress, the war broke out.

Thereafter the Government ascertained that in the opinion of the Imperial authorities the efforts and resources of Canada should be concentrated during the present war upon the organization, training and equipment of military forces and that it would be inexpedient for the Canadian Government under the circumstances to undertake at present the provision of assistance in naval defence upon any considerable scale.

Hon. Mr. CHOQUETTE—Can the hon. leader of the House give a reply to this question?

Hon. Mr. LOUGHEED—No, I cannot.

Hon. Mr. CHOQUETTE—The hon. gentleman cannot give an answer?

Hon. Mr. LOUGHEED—The hon. member has not asked me a question.

Hon. Mr. CHOQUETTE—Well, it is a question. If it is not correct we need not discuss it; if it is correct—

Hon. Mr. TESSIER—It is not a question.

Hon. Mr. LOUGHEED—I do not propose to answer it.

Hon. Mr. CHOQUETTE—If the leader is not ready to give an answer whether it is true or not, we will let the notice stand. If it is true, we will have something to say. If it is not true we will have something to say. I shall let the matter stand until I get an answer, or until I am informed that the Government refuse to give an answer.

Hon. Mr. DANIEL—If the hon. gentleman wants to find out whether the statement was made, why does he not look up Hansard, without asking any questions?

Hon. Mr. CHOQUETTE—I have no right to go back to a past debate in the House of Commons. Having been an ex-Speaker of a legislative body the hon. gentleman ought to know that.

The SPEAKER—Does the hon. gentleman put his question or let it stand?

Hon. Mr. CHOQUETTE—Let it stand.

Hon. Mr. LOUGHEED—I would direct the attention of the hon. Speaker to a ruling which was made the other day that this inquiry is not in order. It is simply an evasion of a question which has already been settled by the ruling of the Chair, and I do not propose to answer on behalf of the Government.

The SPEAKER—If the hon. gentleman will allow me, I shall look over the decision I gave the other day. The question the hon. gentleman asked was whether this is a true report.

Hon. Mr. LOUGHEED—It is quite clear that this inquiry refers to a debate which took place in the House of Commons. The Chair the other day ruled that a similar motion made by another hon. gentleman was not in order. This is precisely similar to that.

Hon. Mr. CHOQUETTE—The inquiries are not similar. Is my hon. friend raising a point of order on the question as it stands? If so we will discuss the point of order, and then discuss the decision given by the Speaker. I should like to know on what foot my hon. friend is standing? Is he relying on the point of order?

Hon. Mr. LOUGHEED—I have already said that the Government does not propose to answer the question asked by the hon. gentleman.

Hon. Mr. CHOQUETTE—I will let the matter stand, to see what I shall do.

The SPEAKER—If the hon. gentleman gives an answer—

Hon. Mr. LOUGHEED—He is bound to take it.

The SPEAKER—It settles the question.

Hon. Mr. CHOQUETTE—The Government refuses to give an answer and therefore my inquiry is not answered. Then I shall allow it to stand, and consider what course I shall take to get an answer.

The SPEAKER—The hon. leader says he proposes not to answer; that is a reply to the question.

Hon. Mr. CHOQUETTE—I bow to the decision of the Speaker.

The SPEAKER—If the hon. gentleman prefers leaving it until to-morrow all right.

Hon. Mr. POWER—As I understand it, the leader of the Government in this House has stated that he will not answer the question. That is an answer of course and ends the question, but I was very sorry indeed to hear the hon. leader of the Government make that statement, because while I have nothing to do with this inquiry, and have not much sympathy with it, still I think that the Senate should have a certain regard for its own standing. I look upon this as being in a sense a question of privilege, and the answer that the honourable leader of the Government has given is not the sort of reply that should be given to a question dealing with the privileges of the Senate. As I understand, the Senate has been reflected upon. It did not trouble me, but a number of hon. gentlemen felt that they had been reflected upon by the speech which is recited in this notice, and I think they have a right to inquire whether the leader of the Government used that language, because I do not think he should have used such language about one branch of Parliament.

Hon. Mr. CHOQUETTE—Before raising a question of privilege, I thought it only fair to the hon. leader of the Government to just ask him if the report was correct. As I am not ready to discuss the question now, I ask permission to let it stand until to-morrow.

Hon. Mr. LOUGHEED—In the meantime I would direct the attention of the clerks

of the House, as I did the other day, to the fact that this motion should not appear on the Motion Paper.

The SPEAKER—As the leader of the Government has given its answer in this way, that he does not intend to answer the inquiry, in my opinion that decides the question altogether. If the House want anything further it is in their hands to take action. As to the remark made by the hon. member forbidding the clerks to have the inquiry put back into the Order Paper—

Hon. Mr. LOUGHEED—I did not put it that way; I simply directed their attention to the fact.

The SPEAKER—Yes, but I think that the duty of the clerks is to take the advice of the Speaker on the matter.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CHOQUETTE—In order to settle the matter for to-day at least, I have said I will let it stand until to-morrow.

Several hon. GENTLEMEN—Withdraw.

Hon. Mr. POWER—I do not see how the matter can stand. The hon. leader of the Government has answered and that settles it. The hon. gentleman from Grandville will have to approach the matter from a different point of view.

Hon. Mr. CHOQUETTE—His Honour the Speaker says that the question is settled as far as the Speaker is concerned. I think so too, and therefore I shall let it stand until to-morrow. I have my own reason for doing so. I want to go over the authorities on questions of privilege, and to-morrow I shall take it up.

Hon. Mr. DAVIS—The answer of the Government, as I understand it, is that they will not answer?

The SPEAKER—Yes.

Hon. Mr. DAVIS—That is a very strange answer—that they will not answer.

The SPEAKER—The Government has a right to answer as it likes.

Hon. Sir MACKENZIE BOWELL—Chair; next order.

The SPEAKER—I decided that it was an answer.

Hon. Mr. MITCHELL—When a man says he will not answer, that is not an answer.

The SPEAKER—It is the answer to the demand that he must answer.

Hon. Mr. BEIQUE—I understand the Chair has decided that the inquiry has been answered, and that ends the question; but it is open to the hon. member to ask the consent of the House that the matter stand on the Order Paper until to-morrow in order that he may see whether he will approach the question again or not.

Hon. Mr. CHOQUETTE—Yes, exactly.

Hon. Mr. BEIQUE—And if there is no objection I think he is entitled to that.

The SPEAKER—I did not make any objection to that. That is what I said.

Hon. Mr. CHOQUETTE—That is all I have to do, wait till to-morrow.

Hon. Mr. DANIEL—But it must be by unanimous consent.

STRICTURES ON RECRUITING.

QUESTION OF PRIVILEGE.

Hon. Mr. CHOQUETTE—Before the Orders of the Day are called, I wish to direct the attention of the House to a report appearing in the Montreal Gazette of this morning of the few words I said yesterday about recruiting. I do not object to the report itself, even as it appears in the Gazette, but the heading of the report in the Gazette is objectionable, especially the words. "Laurier's protégé makes extraordinary statements in reference to Toronto," etc. We see at once the object of using this big heading, quoting me as "Laurier's protégé." Any man in the Senate or in the world might be proud to be Laurier's protégé; but the heading is used to put on Laurier the responsibility for what I said, and I protest against it as unfair and unjust, if not dishonest. I am surprised to find it in a paper ordinarily as well informed and honest as the Gazette. I take on myself the whole responsibility of my words in this House and outside, and I protest most strongly against the report connecting my words with the name of Sir Wilfrid Laurier, the great leader of the Liberal party, in order by insinuation to represent him as being responsible for what I said. I advocated Liberal principles for thirty years under Sir Wilfrid Laurier in the other House, but we all know—I grieve to say it but must do so in order that the responsibility for my actions and words may be properly fixed—that over ten years ago I had some difference with Sir Wilfrid Laurier about

what he should do. I have the greatest respect for Sir Wilfrid, and I hope he has friendship for me, but we differed ten years ago when I had to take part against the Premier of Quebec at the time. Again, not more than five years ago I opposed Sir Wilfrid Laurier on his Naval Bill; I took the responsibility of my stand on that occasion, and I know the Tories were very glad to use my speech and my views against Sir Wilfrid Laurier at that time, to serve their purpose. The Gazette says that I have been criticising the kind of men that have been enlisted. If you read the report you will see that I did not say a word against the men they have been recruiting, but I put before this House an extract from the Daily Mail of Toronto, a good Tory paper, protesting against the kind of recruiting that is going on. I put in a letter from a good English Tory of Toronto protesting most strongly against the class of Englishmen that are being recruited there. These are not my words, not my expressions; I just gave them to the public in an honest way, taking them from the Toronto Mail and from an Englishman who is well known to my hon. friend, General Mason. It is most unfair to distort my speech, and I am surprised that an ordinarily respectable paper like the Gazette should put such a heading over my remarks. I have nothing to say against the reporter here; he is not responsible for the headings used by the Gazette.

SECOND READINGS.

Bill (J-2), An Act for the relief of Robert Charles Vondrau.—Hon. Mr. Derbyshire.

Bill (K-2), An Act for the relief of Percy Lynn Woods.—Hon. Mr. Ratz.

DOMINION FOREST RESERVES AND PARKS ACT AMENDMENT BILL.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 80, An Act to amend the Dominion Forest Reserves and Parks Act.

Hon. Mr. POWER—What is that?

Hon. Mr. LOUGHEED—The object of this Bill is to authorize the Minister of the Interior, where there are no adverse claims, to correct defective letters patent either by way of cancellation or by the issue of supplementary letters patent. That power he already exercises under the Dominion Lands Act, but owing to our having passed the Dominion Forest Reserves and Parks Act it is doubtful whether he can exercise that power, which is within the Dominion Lands Act, respecting lands that lie within the boundaries of the Dominion Forest Reserves and Parks. This Bill is for the purpose of removing that doubt.

Hon. Mr. BOSTOCK—Can my hon. friend give us any idea how many patents have been applied for? Was there a large number in this position?

Hon. Mr. LOUGHEED—I am not aware.

Hon. Mr. BOSTOCK—Can we get some information on that?

Hon. Mr. LOUGHEED—Yes, I shall make some inquiries.

MOUNT ROYAL TUNNEL AND TERMINAL COMPANY BILL.

SUSPENSION OF RULES.

Hon. Mr. LOUGHEED—With the permission of the House, I move that rules 124-a and 19 be suspended, so far as they relate to Bill 12, An Act respecting rentals payable to the Mount Royal Tunnel and Terminal Company, Limited, so that if there is a meeting of the committee to-morrow, we might put it through.

Hon. Mr. BOSTOCK—Before that motion is put, I want to point out to my hon. friend that this Bill has only been before us a short time, and I do not know exactly whether I object to it or not at the present time. Is there any particular reason for pushing it forward so quickly?

Hon. Mr. LOUGHEED—The only reason that I can give is that the conclusion of the sale of bonds in question has been tied up, owing to this doubt which has been cast upon the private Act to which we refer in the Bill.

Hon. Mr. CASGRAIN—If we have a meeting of the committee to-morrow, it can be fully considered, and it can be discussed in the House afterwards.

Hon. Mr. BOSTOCK—I was going to point out that it affects the bondholders in the other three companies, as far as I understand it.

Hon. Mr. LOUGHEED—My hon. friend from De Salaberry informed me a few moments ago that he had carefully looked into the Bill, that he was satisfied it protects any rights that should be protected, and that he communicated that fact to my

hon. friend, and, with a measure of confidence in what he said, I make this motion.

Hon. Mr. POWER—If the hon. gentleman from De Salaberry is not able to see any reason why the Bill should not be proceeded with, the hon. leader of the Opposition may let it go.

The motion was agreed to.

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

THE SENATE.

Friday, April 14, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

A QUESTION OF PRIVILEGE.

Hon. Mr. TAYLOR—I give notice that on May 2 I will ask the following question: Is the Government aware that the following article appeared in the Montreal Star in its issue of 13th April, 1916:

Choquette Should be Kicked out of the Senate.

The opinions of Mr. P. A. Choquette regarding the war, Canada's participation therein, recruiting or the character of our recruits, are of the smallest possible importance. It is not likely that they would be reported in the press. But when these opinions are voiced by a senator of Canada, they acquire from this official relation a character which the Parliament of Canada can hardly overlook.

Choquette's reported insults to the men who are coming forward to die for this country, for liberty and democracy, cannot sting. Their origin robs them of that power. But that a senator of Canada should be permitted to make these statements in the Senate of Canada regarding men in Canadian khaki, who will presently be holding the Candian lines "somewhere in France," is simply intolerable!

It is somewhat difficult to get rid of a senator. But the British North America Act says that "the place of a senator shall become vacant. . . if he be attainted of treason." It further says that "if any question arises respecting the qualifications of a senator . . . the same shall be heard and determined by the Senate."

This seems to put the unsavory Choquette case up to the Senate. If they decide that Choquette's ravings amount to treason, they can rid themselves of his presence. Failing that, we fancy that an address, passed by both Houses of Parliament, with fair unanimity, would accomplish this timely act of house-cleaning.

Is it the intention of the Government or the Senate to take any action in reference to the matter?

Hon. Mr. CHOQUETTE—I desire to put a question to the hon. gentleman.

Hon. Mr. LOUGHEED.

The SPEAKER—I understand the hon. member has given a notice of motion for May 2.

Hon. Mr. CHOQUETTE—If we are going to adjourn to-day, I should like to be allowed to say a word. I saw the article referred to in the Star. It was so stupid and dishonest that I did not care to raise the question myself, though I have no objection to any one else taking action, but I am a little surprised to see the hon. gentleman give notice of inquiry. It would have been only courteous to have consulted me, as I am the one most directly interested in the matter. I despise the article so much that I did not see fit to bring it up myself, but I do not want to let the matter go before the public in its present shape, without knowing for what purpose the notice of inquiry is given. The article is so dirty and so much in the usual way of the Star, which can be bought and sold every day, that I considered it was not worth noticing. You can put anything in the Star for money.

Hon. Mr. TAYLOR—I presume the hon. gentleman saw the article in the Star, as everybody else did, and he should have been the first to bring it up in the Senate.

Hon. Mr. CHOQUETTE—I despise these statements, as I despise the men who are behind them.

Hon. Mr. TAYLOR—The hon. gentleman despises Canadian men who are going to the war.

Hon. Mr. CHOQUETTE—No, I never said a word against the man in khaki. It is a lie from the start on the part of those who make and repeat such statements.

RECRUITING FOR OVERSEAS SERVICE.

NOTICE OF INQUIRY.

General Hon. Mr. MASON—I give the following notice:

That he will on the 27th April next, call the attention of the Senate to the unsatisfactory results attending the present methods of recruiting in Canada. The supply of men who are eligible and who are willing to enlist is fast becoming exhausted and of the men who are offering themselves for enlistment a large proportion is rejected for physical reasons, thus entailing much unnecessary trouble and expense. Some of the important industries of the country are suffering seriously on account of the depletion of their employees who have patriotically enlisted for service overseas, and that further demands are being made for recruits, and this depletion is continuing and will continue.

It is apparent that a very large number of men of military age and who can be spared, without interfering with those industries essential to the progress and welfare of the country, and the affording of the assistance Canada is expected to render in the successful prosecution of the war, are not enlisting, and are plainly shirking their duty in this great emergency.

And will inquire, what, if any, steps the Government is taking or contemplating to overcome and remedy this existing evil by adopting some system of registration whereby all the men of the Dominion of military age will be classified according to their fitness and suitability for service.

Hon. Mr. CLORAN—That is a complete corroboration of Senator Choquette's charges. I thank him very much.

Hon. Mr. CHOQUETTE—I hope that the Star will publish that in their news items.

CANADIAN PARLIAMENTARY EXTENSION BILL.

INQUIRY.

The Order of the Day being called:

Hon. Mr. CLORAN will inquire:

If the Government of Canada is aware that the British Parliament, or any members thereof, have strong objections to the passage and adoption of the Canadian Parliamentary Extension Bill, praying for an amendment to the British North America Act, so as to provide for an extension of life to the present Government and Parliament of Canada for the term of one year; because containing no provision for the protection and safeguarding of the rights and interests of His Majesty's Loyal Liberal Opposition, in the Parliament of Canada, nor of the rights and interests of His Majesty's Loyal Liberal subjects throughout the Dominion of Canada, during the said extension of time of Parliamentary life?

Hon. Mr. CLORAN—The question is rather intricate, and I suppose the Government has not had time to ascertain the facts as they exist in the British Parliament.

Hon. Mr. LOUGHEED—They are not aware of the facts.

Hon. Mr. CLORAN—Why do they not acquaint themselves with the facts?

Hon. Mr. McSWEENEY—Give them time.

Hon. Mr. CLORAN—I could give the answer.

Hon. Mr. LOUGHEED—Then the hon. gentleman should not have asked me the question.

Hon. Mr. CLORAN—I do not want the information myself. I want it for the country.

MOTION.

The notice of motion being called:

By Hon. Mr. CLORAN—That an order of the Senate do issue for a return:

Of all papers and correspondence between the British Government and the Government of Canada relating to the Parliamentary Extension Bill, praying the British Parliament to amend the British North America Act so as to provide for a prolongation of the present Parliament beyond its constitutional term of existence, for a term of one year.

Hon. Mr. CLORAN—This motion refers to the same thing as the other; they are cognate, and twins, so I ask that this motion stand until the Government gets itself acquainted with the condition of things in the British Parliament. I would ask the question, how is it that the request of Canada has remained unheeded for the last two months, and that the Extension Bill has not appeared either in the British House of Commons or the House of Lords in the last two months?

SHIPBUILDING IN BRITISH COLUMBIA.

PAPERS DELAYED.

Hon. Mr. BOSTOCK—Before the Orders of the Day are called, can my hon. friend tell me if he has had time to find out if there are any further returns about shipbuilding in British Columbia that I called for some time ago.

Hon. Mr. LOUGHEED—I did make inquiry, but up to the present time have not been able to get any information. The files show that no further information had been received, but if my hon. friend knows of any specific information that has been forwarded to any other department I should be very glad to make further inquiry. The Department of Marine and Fisheries does not show that any further information is available.

BILINGUAL PETITION.

INQUIRY.

Hon. Mr. CLORAN—Before the Orders of the Day are called I should like to ask the leader of the House if he is aware that his Government has received petitions from any part of the Dominion in regard to the school agitation which now exists in the province of Ontario. We would like very much to know what the Government is doing, and what action the Government intends to take on those petitions. I do not suppose the leader of the House is

prepared at the very present moment to give the views of the Government in regard to that, but he might be able to tell the House whether the Government has received those petitions from responsible parties throughout the Dominion of Canada—ecclesiastical, civil and otherwise—and very numerously signed. The country would be delighted to know if the Government is going to take any action on this matter.

Hon. Mr. LOUGHEED—If the hon. gentleman will just give notice I shall make the most exhaustive efforts to satisfy his curiosity upon that subject.

THIRD READINGS.

Bill (J-2), An Act for the relief of Robert Charles Vondrau.—Hon. Mr. Derbyshire.

Bill (K-2), An Act for the relief of Percy Lynn Woods.—Hon. Mr. Ratz.

RECRUITING IN CANADA.

DEBATE POSTPONED.

On the Order of the Day being called:

Resuming the postponed debate on the motion of the Hon. Mr. Mason:

That an Order of the Senate do issue for a return showing the number of men recruited up to the first day of March, 1916.—Hon. Mr. Domville.

Hon. Mr. BOSTOCK—I have stood this order over on two or three occasions, thinking that the hon. senator would be back; but in his absence, if my hon. friend agrees, we had better let the motion be carried.

Hon. Mr. CASGRAIN—With the leave of the House perhaps the hon. gentleman from Toronto might make his motion call for a return up to the 1st of April, instead of the 1st of March, because I know for a fact that a large number have been recruited during the month of March, and they should be included in this return.

The SPEAKER—With the leave of the House that change is made—April replacing March.

The motion as amended was agreed to.

SECOND READING.

Bill (L-2), An Act for the relief of David Whimster Rhodes.—Hon. Mr. Corby.

BILLS INTRODUCED.

Bill (35), An Act respecting Investments of Life Insurance Companies.—Hon. Mr. Lougheed.

Bill No. 74, An Act to levy a tax on business profits.—Hon. Mr. Lougheed.

Bill No. 84, An Act to authorize certain School and Dominion Lands to be included in the Taber Irrigation District in the province of Alberta.—Hon. Mr. Lougheed.

Bill No. 86, An Act to amend the Prisons and Reformatories Act.—Hon. Mr. Lougheed.

Bill No. 87, An Act to amend the Railway Act.—Hon. Mr. Lougheed.

The Senate adjourned until Wednesday, April 26, at eight o'clock in the evening.

THE SENATE.

Wednesday, April 26, 1916.

The Speaker took the Chair at Eight o'clock.

Prayers and routine proceedings.

RANK OF RENE A. GIROUARD IN THE ARMY.

INQUIRY.

Hon. Mr. LAVERGNE inquired:

1. Is Mr. Réné A. Girouard or Mr. Réné de La Bruère Girouard, of the 178th Battalion, a provisionary Lieutenant-Colonel?

2. Or is this Mr. Girouard a Lieutenant-Colonel, and has he got his commission?

3. If so, what is the date of his commission as Lieutenant-Colonel?

Hon. Mr. LOUGHEED—The following is the reply to the hon. gentleman's questions:

1. Lieutenant-Colonel R. de La B. Girouard, R.C., captain 22nd Battalion, C.E.F. Granted temporary rank of lieutenant-colonel whilst commanding 178th (overseas) Battalion, C.E.F.

2. Answered by No. 1.

3. 12th January, 1916.

THE UNION STATION AT QUEBEC.

MOTION.

Hon. Mr. TESSIER moved:

That an Order of the Senate do issue for a copy of the agreement between the Government of Canada, acting for the Transcontinental railway, the Canadian Pacific Railway Company and the Canadian Northern Railway Company for the construction, operation and maintenance of the Union Station at Quebec, which the Hon. the Acting Minister of Railways says (Hansard, page 2690) is to be used by these three railways.

The motion was agreed to.

THIRD READING.

Bill (L-2), An Act for the relief of David Whimster Rhodes.—Hon. Mr. Corby.

DOMINION FOREST RESERVES AND PARKS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (80), An Act to amend the Dominion Forest Reserves and Parks Act.

In the Committee—

On Clause 1:

1. Section two of the Dominion Forest Reserves and Parks Act, chapter ten of the statutes of 1911, is amended by adding thereto the following subsection:

"2. Where any Dominion lands within the boundaries of any reserve have been sold prior to the coming into force of this Act, and the letters patent by which such lands have been sold contain an error in the name, place of residence or occupation of the person to whom such lands were so sold, or in the description of the lands, the Minister of the Interior may, there being no adverse claim, direct the defective letters patent to be cancelled and letters patent to be issued with such corrections or alterations as he may deem necessary in the premises."

Hon. Mr. LOUGHEED—When this Bill was before the Senate for third reading, I explained that it was a technical measure simply giving authority to the Minister of the Interior to correct mistakes in letters patent either as to the names of the persons mentioned in the patent, or in the description of the land. It was thought that under the Dominion Lands Act the minister had authority to do this, but some doubt has been expressed as to whether it extends to the Dominion Forest Reserves. I therefore move the adoption of clause 1.

Hon. Mr. POWER—The granting of these Dominion Lands patents is a subject as to which differences of a serious character often arise, and in looking at clause 1, the only clause in the Bill, I find that if there is an error in the name, place of residence or occupation of the person to whom such lands were so sold, or in the description of the lands, the Minister of the Interior may, there being no adverse claim, direct the defective letters patent to be cancelled, and letters patent to be issued with such corrections or alterations as he may deem necessary in the premises. Is there any method described by the statute which this Bill proposes to amend for the submitting of these adverse claims?

Hon. Mr. LOUGHEED—Where there are adverse claims they are invariably referred to the Exchequer Court. It may be a question of fraud; it usually is a question of fraud or misrepresentation as to whether the patent was properly issued, or should be issued. Consequently the machinery of the Exchequer Court is peculiarly well adapted to settle a question of that kind.

Hon. Mr. POWER—Then it occurs to me that, instead of directing that these defective letters patent be cancelled, and letters patent with such corrections or alterations as may be necessary issued by the minister, perhaps it would be better to have the minister issue a sort of patent containing the corrections.

Hon. Mr. LOUGHEED—This gives him authority to cancel the letters patent.

Hon. Mr. POWER—Yes, I know, but I do not think it should. That is just the point.

Hon. Mr. LOUGHEED—Or he may correct or alter the letters patent by way of cancellation. That is only in cases where there is no adverse claim.

Hon Mr. POWER—I am not convinced yet.

Hon. Mr. LOUGHEED—I do not quite follow the hon. gentleman.

Hon. Mr. POWER—The point is this. The patent has been issued: there is some defect in the description, or mistake in the name of the person to whom the patent is granted. If that patent is cancelled, in a way you go back to the time when there was no encumbrance on the land, and you give a new patent, instead of merely correcting the errors in the old patent, which I think is the reasonable thing to do. Why should a minister, of his own motion, have the right to cancel letters patent which are supposed to be signed by the Governor General? I think it would be better just to have the corrections made and indicated in the new document.

Hon. Mr. ROSS (Middleton)—I do not agree with the hon. gentleman on that point. You have a patent with a wrong name, or a misdescription, issued to a man. It is void and gives no title. A man who acquires land likes to have a clean title.

Hon. Mr. POWER—Yes.

Hon. Mr. ROSS (Middleton)—I think it is far better to wipe out the old patent which contains a misdescription or a wrong name, and issue a new patent with a proper name, giving a clear-cut clean title. It is better in every way.

Hon. Mr. POWER—I do not see that.

Hon. Mr. ROSS (Middleton)—Otherwise you would give a man two documents, one incorrect and the other correct. If you adopt the plan suggested by the hon. member from Halifax you do not give a clear-cut title from the Crown to the grantee under the Act.

Hon. Mr. CASGRAIN—What is the matter with making the correction on the original patent?

Hon. Mr. LOUGHEED—Because of its being a registered document.

Hon. Mr. ROSS (Middleton)—Because it is a disfigured thing and always will be until you wipe it out of existence and give a man a clear-cut, straight title on the face of the document.

Hon. Mr. LOUGHEED—I think the more serious question is that immediately a patent issues from the Crown it is registered in the registry office of the province in which the land is, that is to say, the department forwards the Crown grant to the registry office, and the patentee from there gets his paper title. Well, that is placed upon the public register at once in whatever province it may issue, consequently it would be impossible for the minister to make a correction upon a document that is registered.

Hon. Mr. CASGRAIN—In the registry office?

Hon. Mr. LOUGHEED—It has to be cancelled and a new grant issued.

Hon. Mr. POWER—I do not like to be considered obstinate, and I hope I am not stupid, but I am not convinced yet, by what the hon. gentleman from Middleton says. If, instead of issuing an entirely new patent, the minister causes to be issued, with the same formalities as though he were issuing a new patent, a statement setting forth that on such and such a day a patent was issued to so and so granting him certain lands, and whereas the name of the patentee, or the date, or whatever it may be, was a mistaken one, and then going on to correct that mistake, that gives you the history of the transaction, and leaves you just in the same place as you are when a new patent is issued.

Hon. Mr. LOUGHEED—Yes, but the original grant remains upon the files of the register unaltered, which would be very inconsistent.

Hon. Mr. POWER—There is just one thing I would call the minister's attention to: it is that the marginal note is not correct, "correction of errors in patents."

Hon. Mr. BOSTOCK—When this Bill was up before, I think I asked my hon. friend if he could give us any idea how many patents are affected in this way.

Hon. Mr. LOUGHEED—I cannot say; they are arising all the time.

Hon. Mr. BOSTOCK—This clause contains the following wording—

Where any Dominion lands within the boundaries of any reserve have been sold prior to the coming into force of this Act.

So it only affects any lands sold before this Act comes into force.

Hon. Mr. LOUGHEED—Patents have been issued in which errors have been found, and where they have been corrected it has been in pursuance of the authority given to the minister under the Dominion Lands Act.

Hon. Mr. BOSTOCK—There have been some already?

Hon. Mr. LOUGHEED—Yes, apparently so, but a question has arisen whether he really had such authority under the Dominion Lands Act, where the lands are within the Dominion Forest Reserves, it being contended that they are really not Dominion lands in the sense of Dominion lands under the Dominion Lands Act.

Hon. Mr. POWER—Then I would direct the minister's attention to the fact that if this Bill goes into effect it will not, as a matter of fact, affect any grants made after the year 1911. It says—

1. Section two of the Dominion Forest Reserves and Parks Act, chapter ten of the statutes of 1911, is amended by adding thereto the following subsection:

2. Where any Dominion lands within the boundaries of any reserve have been sold prior to the coming into force of this Act.

That is, the Act of 1911?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. POWER—Is it not intended to deal with cases arising since 1911?

Hon. Mr. LOUGHEED—Those would be the only lands—lands that have been set apart under the Dominion Forest Reserves Act—consequently it would cover all those cases.

Hon. Mr. POWER—Yes; I see the point.

The clause was agreed to.

Hon. Mr. TESSIER, from the Committee, reported the Bill without amendment.

ESCAPE OF ALIEN ENEMIES.

ORDER POSTPONED.

On the Order of the Day being called:

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

March 31.—That he will call the attention of the Senate to an Order issued on the 2nd day of March, instant, calling for the production of papers in connection with the escape of alien enemy prisoners from the detention camp at Amherst, Nova Scotia, and for the production of papers and documents and correspondence produced at a Military Court Martial held in Halifax, N.S., in connection with said escape.

And will inquire of the Government whether any criminal proceedings were taken or are contemplated against the officers in charge of said camp?—Hon. Mr. Cloran.

Hon. Mr. POIRIER moved that the Order of the Day be discharged and put on the Order Paper for Tuesday next.

Hon. Mr. CLORAN—I am on that order.

The SPEAKER—The hon. gentleman can amend the motion, but he cannot change it.

Hon. Mr. CLORAN—I am here to move this motion and nobody else; I am alone here; the Speaker is out of order.

Hon. Mr. POWER—If I may be pardoned for saying it, I think in the absence of the hon. gentleman from Antigonish, the hon. gentleman from Victoria, as a matter of courtesy, will not proceed.

Hon. Mr. CLORAN—I am awfully obliged for the opinion of the senior member for Halifax. I have postponed this motion several times owing to the absence of the hon. gentleman from Antigonish. I do not know how long he is going to be absent, and I am ready now, notwithstanding the protest of the hon. senior member from Halifax, to proceed with the question.

Hon. Mr. ROSS (Middleton)—I suppose the hon. gentleman knows that the hon. member from Antigonish has had some trouble at home?

Hon. Mr. CLORAN—That has nothing to do with the public interest.

Hon. Mr. ROSS (Middleton)—It ought to have.

Hon. Mr. CLORAN—It ought to have, and I have submitted to it for the past seven weeks. Hon. gentlemen, this question must be decided; the facts must be disclosed. I want to point out that the hon. senator from Antigonish has absolutely nothing to do with this matter except the defence of a friend called Colonel Morris. This is a public matter, and has got to be proceeded with now. The Senate issued an order for the production of all documents in connection with the escape of alien enemies from a detention camp in Canada, to wit, Amherst—

Hon. Mr. POIRIER—May I ask my hon. friend from Victoria to argue the question that is before the Chair and not the principle of the motion. I moved this motion because the hon. gentleman from Antigonish, Mr. Girroir, is not here to-night. He may be here to-morrow and he may not, but I appeal to the courtesy of my hon. friend from Victoria to allow my motion to pass. I think it will be more satisfactory to him to discuss it when the hon. gentleman from Antigonish is here in person to answer him if he so chooses, but I simply appeal to the courtesy and chivalry of my hon. friend here to allow this motion to pass.

Hon. Mr. CLORAN—I am quite prepared to suit the convenience of the hon. senator from Antigonish; I have done it for the past seven weeks. But I know from correspondence throughout the Dominion of Canada that the people are awaiting the result of this debate. Of course, every senator has not the same information as I have.

Hon. Mr. POWER—Hear, hear.

Mr. POIRIER—But you would not take any undue advantage—

Hon. Mr. CLORAN—I have just said that I have taken no undue advantage for the past seven weeks. I have allowed this matter to stand, and appeals have come to me from all parts of the Dominion in regard to the matter. Now, to whom am I to listen?—to the appeals from the hon. senator from Shediac, the hon. senator from Halifax, and the hon. senator from North Bay—I am between the devil and the deep sea—to listen to the appeals of three senators, or listen to the appeals of the people of the country? I am prepared, as a matter of courtesy, to have it laid over, but how long?

Hon. Mr. POIRIER—I moved that it stand until next Tuesday. In a case before a court, my hon. friend will agree with me,

it is ordinary courtesy, when necessary, for the counsel on the opposite side to wait till the opposing counsel may be present. That is what I am asking here.

Hon. Mr. CLORAN—I submit to the request, but I want to point out to the hon. senators that there is no attorney in this case either for the defence or the prosecution. It is merely an attempt to get at the facts. I do not consider the hon. senator from Antigonish to be an attorney for the defence in this matter, and I do not consider myself an attorney for the prosecution. I am simply here in the hands of the people to find out what is going on. Cannot this honourable House realize that fact? I am here neither as a defender nor as a prosecutor. I am here on behalf of the people asking from Parliament light on a question in which they are interested. Now hon. senators have asked me to abdicate my right.

Hon. Mr. POIRIER—Not to abdicate, but to postpone the matter.

Hon. Mr. CLORAN—This is a matter of serious importance.

Hon. Mr. POIRIER—Sure.

Hon. Mr. CLORAN—Of serious consequence to the people of this country, and I hold that when I took up this matter it was simply in the public interest, neither as prosecutor nor as defender, but as a searcher after light. Now the hon. gentleman asks me to postpone this debate. I shall do so, but I shall put it off until to-morrow. This Parliament may be dissolved this week or next week, or may be prorogued.

Hon. Mr. POIRIER—To-morrow would suit me all right enough, but my hon. friend from Antigonish may not be here to-morrow, and my hon. friend from Victoria would not like this case argued ex parte. He is too much of a lawyer and too much of a statesman to take advantage of an absent senator, so I simply ask that it be postponed, as is usual in those cases as a matter of ordinary courtesy, and I know my hon. friend is equal to an extraordinary courtesy if he simply makes his mind up to it.

Hon. Mr. CLORAN—I thank the hon. gentleman for his description of my courtesy; I always try to be courteous. At the request of several senators, I move that this debate be adjourned till to-morrow, and to be considered de die in diem until disposed of, and I would request my colleagues not to ask too much extension of time.

The SPEAKER—It is moved by the hon. member for Victoria division that this debate be adjourned sine die.

Hon. Mr. CLORAN—No, no. The hon. Speaker must not use expressions like that, and he cannot play a game of that kind on me. I move that this debate be adjourned until to-morrow, and be heard from day to day—not that it be adjourned sine die.

The SPEAKER—We will strike out the sine die. The hon. gentleman moves that the debate be adjourned until to-morrow.

The motion was agreed to.

SEVENTH DAY ADVENTISTS BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. BOYER moved concurrence in the amendments made by the Standing Committee on Miscellaneous Private Bills to Bill 31, An Act to incorporate The Eastern Canadian Union Conference Corporation of Seventh-day Adventists.

Hon. Mr. POWER—I notice that the committee have made very extensive amendments in the Bill. I am not going to raise any question about the propriety of the amendments, but will call attention to the fact that there are a couple of typographical errors in clause 5, on page 418 of the minutes, which paragraph reads:

> 5. The corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporal or incorporal, whatsoever.

I would suggest that the words should be corporeal or incorporeal.

Hon. Mr. BOYER—I may tell the House that this Bill came before the Private Bills Committee and was found to be incomplete. It was then referred to the law clerk who, jointly with the lawyers and promoters of the Bill, framed amendments which the committee saw fit to pass. No religious or other explanations were given. It is simply transferring the property from one to the other.

Hon. Mr. DOMVILLE—What are Seventh-Day Adventists?

Hon. Mr. BOYER—As I am not a divine I cannot tell the hon. gentleman.

Hon. Mr. DOMVILLE—I would not expect divinity in this House anyway.

The motion was agreed to.

BILLS INTRODUCED.

Bill (8), An Act respecting the Niagara, St. Catharines and Toronto Railway Co.—Hon. Mr. McHugh.

Bill (24), An Act respecting the Toronto, Niagara and Western Railway Co.—Hon. Mr. McHugh.

Bill (66), An Act in Aid of Provincial Legislation prohibiting or restricting the sale or use of intoxicating liquors.—Hon. Mr. Lougheed.

Bill (81), An Act to amend the Canada Shipping Act.—Hon. Mr. Lougheed.

ST. PETER'S INDIAN RESERVE BILL.

FIRST READING.

A message was received from the House of Commons with Bill (67), An Act relating to the St. Peter's Indian Reserve.

The Bill was read the first time.

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

Hon. Mr. BOSTOCK—There were some papers in connection with this measure brought down before the other House. Can we have them before us before discussing this Bill?

Hon. Mr. LOUGHEED—Yes.

The motion was agreed to.

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

THE SENATE.

Thursday, April 27, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READING.

Bill (I-2), An Act respecting rentals payable to the Mount Royal Tunnel and Terminal Company, Limited.—Hon. Mr. Lougheed.

SENATOR CHOQUETTE'S SPEECH ON RECRUITING.

INQUIRY DROPPED.

The notice of inquiry being called:

By the Honourable Mr. Taylor:

Is the Government aware that the following article appeared in the Editorial column of the Montreal Star in its issue of April 13, 1916?

Choquette Should be Kicked out of the Senate.

The opinions of Mr. P. A. Choquette regarding the war, Canada's participation therein, recruiting or the character of our recruits, are of the smallest possible importance. It is not likely that they would be reported in the press. But when these opinions are voiced by a senator of Canada, they acquire from this official relation a character which the Parliament of Canada can hardly overlook.

Choquette's reported insults to the men who are coming forward to die for this country, for liberty and democracy, cannot sting. Their origin robs them of that power. But that a senator of Canada should be permitted to make these statements in the Senate of Canada regarding men in Canadian khaki, who will presently be holding the Canadian lines "somewhere in France," is simply intolerable.

It is somewhat difficult to get rid of a senator. But the British North America Act says that "the place of a senator shall become vacant. . . if he be attainted of Treason." It further says that "if any question arises respecting the qualifications of a senator. . . the same shall be heard and determined by the Senate."

This seems to put the unsavory Choquette case up to the Senate. If they decide that Choquette's ravings amount to treason, they can rid themselves of his presence. Failing that, we fancy that an address, passed by both Houses of Parliament, with fair unanimity, would accomplish this timely act of house-cleaning.

Is it the intention of the Government or the Senate to take any action in reference to the matter?

Hon. Mr. SPROULE—At the request of the hon. gentleman in whose name the inquiry stands, and with the consent of the House, I desire to have it dropped.

Hon. Mr. CHOQUETTE—I have a right to answer this inquiry. I did not ask to have the notice given and I was surprised to see it on the Order Paper without my knowledge. Now it is to be dropped, but it still appears on record. I am content to let it drop, but I have a right, on a question of privilege, to make a few remarks with regard to it.

Hon. Mr. SPROULE—I have only to perform the duty of complying with the request which was made of me, and if the hon. gentleman is not satisfied I shall ask to have it stand.

Hon. Mr. POWER—The hon. gentleman can speak on the motion to have it dropped.

Hon. Mr. CHOQUETTE—Hon. gentlemen can easily imagine that it is with mixed sentiments of pity, sadness and anger that I rise, as a matter of privilege, to make a few remarks on this inquiry. The hon. member for Leeds, without any intimation to me, having heard my speech in this House, placed that notice on the Order Paper to be spread abroad. He has caused a most insulting statement to be published against me. If he had told me that he felt compelled as a matter of duty to do so I

would have said " All right, you are a gentleman, you have informed me of your intention and I have nothing to say." But I shall not complain of the way the motion was placed on the paper. Speaking about Sir Hugh Graham of the Star, the paper in which the article embodied in the inquiry was published, I may say that I do not care for the barking of dirty dogs or political blackmailers, like Graham of the Montreal Star, or Willison of the Toronto News. I could have said that at the time, but, despising the article as I did, I would not degrade myself and the Senate by raising a question of privilege, when every member of this honourable House heard my speech. It would have been insulting to members of this Chamber if I had taken exception to it on a question of privilege. By implication it would have been stating that the Senate, having heard my speech, if insulting our soldiers, did not stand up and rebuke me for having done so. It would have been an insult to the Speaker of the Senate, whose son has been on the battlefield for seven or eight months. It would have been an insult for the hon. member for Victoria division whose son is at the front, and an insult to the hon. members for De Lanaudière and De Salaberry, who have sons on the firing line, if I had spoken disparagingly of our soldiers. The leader of the House should have called me to order if I had said one word against them. On the contrary, when I spoke the first time in the House, I praised and congratulated the soldiers. I have my views about the method of recruiting that has been adopted, but I never said a word against recruiting or against the soldiers. Those who know me know that when I have something to say I say it. If I have a single word to say against the soldiers I will say it. There are thousands of soldiers passing in front of my house in Quebec. They come often to my house requesting me to serve their interests, and I oblige them, and I shall always be glad to do so. When the Valcartier camp was opened, I was one of the first to visit it, and I had the pleasure of being received by the officers. There are relations and friends of my family commanding battalions in the field. I am bound to defend myself against the black accusations directed against me by dirty newspapers in Ontario and Montreal. I was one of the first to congratulate Sir Sam on the great work he had done in a few weeks in Quebec, because I thought he deserved it. I saw what had been done, and I think there is only one Sam Hughes who would have had the courage to accomplish so much in so short a time, and now when he is accused I still congratulate him on his efficient organization of our army. I spoke on this subject in this House for the first time on the 19th January last, and I may say right here it is very hard for a public man to do his duty in this country. In that speech I did not say a word against recruiting, but I was against the extension of the life of Parliament and against increasing the number of men without consulting the people who have to pay the bill. I spoke in most complimentary terms of the soldiers on that occasion. A great many of them, I said, were performing their duty by enlisting, but I remarked incidentally, "What about the Nationalist sentiment?" And I said that the member for St. Antoine was the gentleman who had furnished the money for the Nationalists. That was stated in fair discussion. I said it in an honest way, and it seemed to me that I was fulfilling my duty in saying so. What was the result? I have a brother who has been employed in the Immigration Department in Montreal for the past eight years, and on the 25th January, a few days after my speech of the 19th, he received notice to leave. What was the reason assigned? Economy, I was answered. I inquired what was the number of men employed in that department in 1911, and I received the answer 18, and how many employed now, and the answer was 30. Therefore, that man, though he had done nothing to merit dismissal, but simply because he was my brother, was put out of office. Under the circumstances, I do not consider that it was a disgrace for him to be put out of office. On the 21st January, when he went out, without any solicitation on his part, he was given the following document by his superior officer:

> This is to certify that Mr. Cyrille Choquette, who has been connected with this agency for the past eight years, has proved himself to be a steady, honest and willing officer, and a man whom I can highly recommend.
>
> John Hoolahan,
> Dominion Immigration Agent.
>
> C. S. Regimbal,
> Assistant Agent.

My brother was punished because I did my duty. I do not know what the result will be so far as I am personally concerned, but I am willing to take the consequences of having done my duty, but all the same

it is difficult to do it. Coming back to the question before the House, I spoke on the 19th January, and my speech appears in the Debates, where every one can read it. I defy any intelligent man to say that I spoke against the soldiers. I am just as intelligent and just as bright perhaps as the hon. member for Leeds, who gave notice of this inquiry. I quite agree that I am not paying myself a compliment when I make the comparison. However, I have said nothing which can be taken exception to by any soldiers in this country. I am willing to abide by the decision of any committee appointed by this House to say whether I have been guilty of any offence against the Army or Navy. If I should be convicted of any such offence I am willing to apologize, not only to the soldiers but to the Senate. But, hon. gentlemen, what was my offence? After discussing the question, I quoted an article from the Mail and Empire, of Toronto, the organ of the Government—a good Tory paper, as hon. gentlemen know. I selected a Conservative paper so that I could not be accused of partisanship. This paper published the report of the health commissioner of Toronto, in which it appears that to form two battalions they had to refuse over 50 per cent in the first case and over 75 per cent in the second. It was then that I received a letter from a man named Hazelton, of Todmordon, Ontario, whom I had never seen. I never asked him to write to me and never spoke to him. In plain justice to him I may say that the letter was pretty strong, and I disclaim any responsibility for it. According to the Toronto Mail and Empire, as well as the Montreal Gazette that man is an old soldier; he is a political boss for the Tory party in the south riding of the County of York, represented by Mr. Maclean, and he has three sons in the army. This fact should speak in his favour as having no intention to insult the soldiers. He is himself a lieutenant in the battalion that was commanded by our worthy colleague, General Mason. When he wrote to me I replied saying that his letter was pretty strong, and asking him for references. On March 23, 1916, he wrote to me saying that his letter was for publication, and he finished by saying this:

> The hon. Senator (Mason) knows me well and so do Lt.-Colonel John A. Currie and Captain Tom. Wallace, M.P. I am known to them in military circles as well as in political circles.
>
> Yours respectfully,
>
> Robb. Hazleton.

At the same time he enclosed a letter written by Rev. Mr. Hincks in a Toronto paper, which was very rude to Quebec people, Frenchmen especially. I suppose he is one of those who like to wade into Frenchmen who are not there; it does him good and it blackens me at the same time. Hazleton added, speaking of this reverend gentleman:

> One thing you may feel proud of is that he is not a relative of the late Sir Francis Hincks, of the Lafontaine period in our beloved Canada.
>
> I am a Tory and Sir Francis was a Baldwin Reformer (but he was a Canadian and not one of those "bullshooting bronchos" of the "doctor" Hincks sort). Hincks is one of those sensationalists who are using the pulpit or the lodge-room as a place to harp on some such subject as the French-Canadian, His holiness the Pope, the liquor trade or to chase some devil around the stump and at every kick to make him jump. These preachers of Hincks' type of which Toronto has three or perhaps four, must hit somebody or something every Sunday in their pulpits or they would not have any person to listen to them so many of their past audiences have enlisted and gone overseas, perhaps for a relief from such stuff as has been served out to them as "spiritual food."

Going on he sends me fifteen or sixteen articles from the Mail and Telegram and other papers on police court matters, recruiting in Toronto, all of them condemning some soldiers, and he added also:

> These are samples of the class of immigrants that Canada has been flooded with for ten years past or more and which have cost Ontario, especially Toronto, so much more than necessary for the administration of justice. Our police forces all through Western Ontario have been increased to double their former strength and all because of the advent of such men, cattle to our shores. Our Toronto police, the finest in the world have nearly all their time taken up with such characters. Our criminal courts are larger than ever before and the calendar of cases before them in all sessions is made up mainly of such characters as I write of and Hincks would compare these creatures with the race to which Cartier, Montcalm, Champlain, Le Salle, Frontenac and the intrepid, the bold the courageous pioneers and missionaries of old Upper and Lower Canada and such men as the valorous Joffre are kin to. Let Hincks go out to the great unknown as the men of your race did 200 and more years ago as explorers and missionaries in this once "terra incognita." He takes good care not to do that but reposes in ease and comfort in "safety first," in a soft living and a pastorate in some big centre. He is not like many of this sect, good men, who are struggling very hard to keep their souls and body together in some backwood settlement. Let him get out and shoulder his cross like these poor half-fed and ill-clad ones are doing in silence—not "bullshooting" in luxury. What does Hincks know about French Canadians.
>
> Yours respectfully,
>
> Robert Hazelton.

I did not use these clippings because they were against some soldiers, and I would not be party to reflecting on our soldiers. If there is one soldier among a thousand who is a black sheep I would not condemn them all, just as I would not condemn the legal or medical profession as a whole simply because there was a black sheep among them. So you see he is speaking about the immigrants that, as he says, Ontario has been paying to bring in. When a man writes like that his statements are entitled to some consideration. If any one should write thus about Quebec people, I would say he is a man of courage, and his views should be given fair consideration in order that some good may result.

All those letters were sent to me for what? To prove the feeling that is rankling against Quebec amongst those who are insulting my people, insulting those who have opened this country to civilization and christianity. Before using these letters I went further. I went to his member, Mr. Maclean, and asked him what kind of a man this was. He replied that he was a first-class man. I came up here and asked my friend the senator, General Mason, did he know Robert Hazelton, and he replied, "Certainly, he is a first-class man, he is a lieutenant in my command, and was with me in the Northwest rebellion; he has sons in the army." Assuming that there was something wrong in his letter, for which I am not responsible, and now regret that I read it, having been so wrongly interpreted, but is there a man who can take more precaution to get information before citing the opinion of a correspondent? He also writes a beautiful hand, showing that he is well educated. Admitting that his letter contained something of which I do not approve myself, something not justified, about those rejected, who are in general very wrongly qualified, I was satisfied that I could use this letter, and on that one point only, because in this same letter he says:

> Our Irish, Scotch and Welsh from the British Isles are of a very different element to what is known as the "English" here. There are no complaints heard about Irish, Scotch or Welsh such as are heard against those of so-called English origin. The Salvation Army has brought most of these to our land and from the very worst spots in older England have they been collected to defile our beloved Canada.

So we see that in his letter there is not a word against soldiers. If there had been I would have refused at once to read it. There is not a word against the Scotch; not a word against the Irish; not a word against the Welsh. As a Frenchman I ought to have felt insulted because he did not make exception of the French immigrant. However, we must judge the contents of the letter by the sentiment; he was speaking about those who had been rejected, 75 per cent, and showing that those men had been rejected because they had been taken from the slums of London, or elsewhere, and were no good. I do not share his sentiment on that point, but we must give him credit, as a man of education and good standing in his community for being outspoken; I understand he is the treasurer of his township; he has fought for his country; he has sons who are soldiers; yet what is the treatment he has received from the mob? Thank God, the soldiers did not join the mob, but, according to the press report, they helped the police to protect him. When the crowd attacked him, he went out of the house, and with his back to the wall, tried to make an explanation, and they refused to hear him. That is about the same treatment that I have received from the press, with a few exceptions.

Hon. Mr. CLORAN—You have got your back to the wall.

Hon. Mr. CHOQUETTE: My speech was published in the Debates so that everybody could take cognizance of it; but what have the newspapers done? They took a garbled report of that speech. They put in my mouth the worst expressions from the Hazelton letter, and attributed them to me. They said that I abused the soldiers; that I am a traitor; that I despised those that are enlisting for the war; and in spite of my denial the next day from my place here answering the Montreal Gazette, I have in my hand from the Evening Telegram of the 17th, four days after I had spoken, and when my speech had been published in the Debates four days before, an article headed:

> Can Imprison Choquette—Provision in Code—Magistrate Kingsford Discusses French Canadians Generally and Senator Choquette in Particular.
>
> Earlscourt, April 17.—Addressing a big recruiting meeting in the Royal George Theatre, St. Clair avenue last night, Magistrate Kingsford, referring to the slanderous speech delivered by Senator Choquette, said:
>
> The latest offender is Senator Choquette, and it is hard to speak of him coolly and calmly.
>
> Choquette has passed the limit. But he has waked up the wrong crowd. As for Hazelton, who seems to have been the man who wrote the letter Choquette quoted, we can leave him to his neighbours. It is Choquette the senator

who is the offender. You have all read his speech. It is enough to infuriate us. But we must, if possible act within the law. The law covers his case. He must either resign or stand his trial on a charge of treason for assisting the public enemy or seditious slander on His Majesty's troops. He is not protected from criminal process by reason of his position as a senator. If convicted he is liable to two years' imprisonment and afterwards to expulsion from the Senate. It is no use to say that to punish this man is to punish free speech. We are at war. We are fighting for our lives—for his life—for our liberties—for the safety and honour of our nearest and dearest, and is this man because he sits as a senator to be immune?

Now, this is from a magistrate. I do not know what kind of a law there is in Toronto, but when a magistrate takes a newspaper accusation against a senator or anyone else, and says he is going to put him in jail without hearing his defence, and asks the Minister of Justice to condemn him as a traitor and expel him from the Senate on the charge of having given utterance to a most slanderous speech against his country, against the soldiers, and against the army, and all this without hearing the defence, it is extraordinary law and a most extraordinary magistrate. According to the British constitution a man is supposed not to be guilty until he is found guilty; he has the right of defence; but this Toronto magistrate—I hope there are not many like him—as soon as he saw the accusations in the papers of Toronto was most anxious to condemn me to be hanged, to be shot, or to be put out of the Senate. Is it the kind of justice a man may expect in Toronto? I have other articles which I shall not read, but this is about the sum of them. I have been a newspaper man, and I am willing to give some license to newspapers in making their reports, and willing to let them go pretty far sometimes, but there is a limit. I take first the Globe, the Liberal paper of Toronto, when I read these slanderous accusations I sent the following telegram:

Quebec, April 19, 1916.

Editor,
Toronto Globe,
Toronto.

Thanks for publication telegram to speaker Sevigny, but must strongly protest against your editorial shown me this morning and against Doctor Sheard's slanderous accusations of having cast aspersions or ridicule on soldiers. I ask you to publish my letters to Quebec Chronicle and my speech I sent you, and am willing to be judged by these alone and not by false and malicious newspaper reports. After reading both, am sure you will feel, as gentlemen, obliged to withdraw your statements. Am also willing to attend a meeting at Toronto to prove that I have been falsely and maliciously attacked, and have never said a word against soldiers, but have always praised them as they deserve.

P. Aug. Choquette.

In a moment I shall speak about another telegram, in referring to something that happened in the other House. The accusation was that I had cast aspersion and ridicule on soldiers. You, Mr. Speaker, who heard me, never reproached me when I spoke. Therefore you must have been with me, according to the motto, " Silence gives consent;" in French, "qui ne dit mot consent." You would have compelled me to withdraw my statements if insulting to soldiers. Sir, this telegram to the Globe will also give my answer to a paper in Toronto which was saying that I would be afraid to go to Toronto and repeat what I have said here.

I sent about the same telegram or letter to the Mail and to other journals here and elsewhere; also my letter to the Quebec Chronicle and my speech. The Toronto Globe answered me that they refused to publish my speech because it contained Hazelton's letter. I wrote back asking that at least they should show their good faith by publishing my letter to the Quebec Chronicle, signed by me. The answer of the Globe was this:

The Globe will not publish your letter in the Quebec Chronicle. This is the third refusal; please regard it as final. Lyon.

I don't know him; he spells his name Lyon; surely he is not a lion to say that. I answered back: " You are a cowardly slanderer; regard this as final." Now, in justice to some newspapers—though as a Liberal I am sorry to say that among all the English papers the Liberals have refused to publish my letter—the only two papers which published my letter are the Quebec Chronicle and the Ottawa Evening Journal. When they received my demand to publish my letter as an explanation they wired me back, " Send your letter; we will be glad to publish it;" and I am thankful and bound in duty to offer to those two Tory papers my congratulations and my thanks for having granted me the fair play that I was refused in the Liberal press.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. CHOQUETTE—Now, what is the next matter? I think I may be permitted, as a question of privilege, to refer to a short debate which took place in the other House, because it was based on some-

thing which happened in this House. I spoke on the 12th; on the 13th I gave my explanation about the Montreal Gazette and put the matter right before the public. On the 14th, after my speech had been in the Debates two days, the Hon. Mr. Kemp, in the Commons, who was Acting Minister of Militia, whom I have not the pleasure of knownig, only I am told that he is a tin dealer in Toronto, raised a question of privilege in the House of Commons and accused me of having spoken against the soldiers and recruiting and of making accusations against the army, and then he said:

The senator referred to an item which he read from the newspaper on which he based all his argument.

That was the item from the Toronto Mail; but, instead of saying that, he let it be supposed that I was citing perhaps from a Liberal paper, or from a small country paper. Why not say that what I cited was from the Toronto Mail, the organ of his Government? Why not, as a man in his place in the House, give the name of the paper from which I cited the article? And then what did he say? This is the worst still:

I shall not read what the senator said, because his remarks have been published in the press and we all know what they were.

Is it possible that a minister, in whom the people of this country are accustomed to repose faith, could rise in the Commons and speaking as Acting Minister of Militia, accuse me of having slandered the army, while admitting that he would not read what I had said because my remarks had been published in the press, and they all knew what they were?

Hon. Mr. CLORAN—Shame!

Hon. Mr. CHOQUETTE—Is there a man in either House who will dare to take from a newspaper report four days after a man has spoken from his place in the Senate or the Commons, and say, "I will not read his speech, though I condemn it?" Think of it—a minister of the Crown accusing a colleague in parliamentary life of slanderous statements against the army of this country, especially in this time of war, and though he has the speech under his hand he will not read it and be fair. But, Sir, there is more than that—

Hon. Mr. DANIEL—The hon. senator referred to a statement of the Acting Minister of Militia where he spoke of the senator's remarks being published in the press. Will the hon. senator look at the top of the very column from which he made those remarks? He will find that the acting minister referred to the report in the Senate Debates.

Hon. Mr. CHOQUETTE—I know, but that is much worse; that is my point; he referred to the Senate and he said:

I shall not read what the senator said because his remarks have been published in the press and we all know what he said.

That is my complaint. If he will not read them I pity him. That is the point I made. He referred to my speech in the Senate, and then reading that he said: "I take from the press what he said, and I accuse him of slander." Well, I fling back to him the accusation of being a slanderer. When I saw the article in the press of Quebec I sent to the Speaker of the Commons the telegram, which is contained in my letter to the Quebec Chronicle, which I shall read in a moment. Do you think that the Speaker read that to the House? No. I asked him why he did not read it. He told me it was not the custom to read that in the House. On the contrary, I am told that this has been done very often, and we have heard from our Speaker here a number of telegrams and reports read by the Speaker when they referred to members or senators. Anyhow, this is the kind of treatment I have received not only from the press, but from a minister of the Crown in the other House. It is, as I said before, with pity, with sadness and with anger that I have risen on this question of privilege. I am obliged to restrain myself from saying all that I ought to say. Is it because I am a French-Canadian that I cannot speak my mind here? Are we in this country going to make a difference between races? If a public man who happens to be French has said something to which exception is taken, is he to be crushed at once? Has he no right to express an opinion?

Hon. Mr. GORDON—Oh, shame on you.

Hon. Mr. CHOQUETTE—Sir, I say it is a pity. The newspapers have been cowardly in their treatment of me, with the exception of the Ottawa Evening Journal and the Quebec Chronicle, which had the fairness to publish my denial over my signature. Now, the letter which I wrote to the Quebec Chronicle, and which embraces

the telegram above mentioned, is the following:

Senator Choquette Replies to Critics.

Quebec, April 17, 1916.

To the Editor.
Morning Chronicle.
Quebec.

Dear Sir,—Many thanks for announcing the publication of my speech which, being so awfully misreported, caused somewhat of a sensation among the soldiers, and with reason too, if I had said what I am wrongly accused of. I regret that some correspondents do not even read what is said in both Houses of Parliament before sending reports to their papers. It is most unfortunate, because, as in my case, these reports are absolutely unfair, unjust, and the cause of abuse being thrown to the heads of public men. So I am glad of your publishing my speech, though it is from the unrevised edition of the Hansard, without even correcting the few errors which are in it. I am ready and willing to abide by the judgment of all fair and honest men of Toronto and elsewhere, and of our soldiers, to say if I uttered a single word offensive to them. Moreover, I am sure that Hon. Mr. Kemp, Acting Minister of Militia, speaking in the House of Commons on Friday last, when I was away from Ottawa, took as granted what the papers have said, in also accusing me, instead of reading my speech, and this morning I sent the following telegram:

Quebec, 17th April, 1916.

Hon. A. Sevigny,
Speaker, House of Commons,
Ottawa.

Dear Sir,—Senate being adjourned, I will ask you to please read to your Honourable House my answer to the Honourable Mr Kemp.

I most strongly deny having directly or indirectly, said anything offensive of our soldiers here or abroad. On the contrary, I praised and congratulated them; as it is easy to verify by reading my speech.

As for the recruits rejected in so great a number in forming two battalions in Toronto, I just cited a report from the Mail and Empire of Toronto and read a letter from one Mr. Hazelton who also wrote me that he is a good English Tory and a lieutenant in the army, as Hon. Senator Mason told me.

On these matters of recruits rejected and Rev. Mr. Hincks, the Hon. Acting Minister might have an argument with the Mail and Hazelton; but I hope he will apologize to me. The more so because Hon. Senator Mason's resolution of Friday last, practically confirms what I said. With thanks.

P. A. Choquette.

May I also ask why you put in big headlines that Mr. Hazelton is my friend? I ask you if this is fair! I never saw that gentleman; he wrote to me without being asked for. I found his letter so strong that I wrote him back asking if it was intended for publication, and if so to give me references on his standing. He answered that I could publish his letter and referred me to Mr. Maclean, M.P. for York, to Col. Currie, and to General Hon. Senator Mason, as being a good Englishman, a good Tory, etc. I inquired from Messrs. Maclean and Mason, and they told me he was a first-class man. As you will see in my speech, when speaking, not about the soldiers, but about the recruits who have been rejected in so great a number in Toronto, I cited from the Mail and Empire of the 18th of March, the organ of the Borden Government, a report giving out this great number of men refused, and then, I read, on this point alone, the letter from Mr. Hazelton. Well, how can the soldiers, whom I praised and congratulated, take objection to that? They have not been rejected, and then this does not apply to them, and why do the English papers abuse me? The whole trouble lies in distorted reports of what I said, and it must have been done maliciously. I had the pleasure of speaking to Messrs. Dobell, Pentland, Major Gibsone, & al., about that speech, which they read, and I am willing to abide by their decision if there is anything offensive to any of our soldiers. The insinuation in your paper that Hazelton is my friend, is in the same line, and may cause trouble. Now, I ask if this is the way to help recruiting in this country and especially in this province? Do you think that it is by bullying men who have a right to express their views in a fair and honest way that recruiting will be helped? The English press are publishing every day that the Allies are fighting for fair play, rights, liberty, and for the respect of treaties which the Germans call scraps of paper. These are all good reasons to fight for; but why not in this country respect fair play, right, liberties, treaties, and pact of Confederation? Why not respect the rights of the French minority in Ontario and Manitoba? Why trample upon the rights of the French-Canadians to speak and teach their language in these two provinces? Do you not give them the right to say that the majority in those provinces are considering the pact of Confederation as a scrap of paper and that they are acting like Germans?

It is not by accusing right and left of disloyalty, without reason, and against the truth, this man, that man, or a great portion of the best citizens of this country, that you will help the Allies in this great war. The very contrary will happen.

Let the press, and especially the English press of Ontario, be fair to public men, be fair to Sir Wilfrid Laurier, be fair to the minority, and everything will, in this country go better than they are going now.

Yours truly,

P. Aug. Choquette.

This was a plain letter. Of all the English papers which published these attacks upon me I repeat only two papers, the Quebec Chronicle and the Ottawa Journal published it. I am also willing to be judged by this letter, and if there is one word which can be taken as insulting the soldiers I am willing to apologize to them and to the Senate.

Hon. Mr. McSWEENEY—Did the hon. gentleman get an answer from Mr. Kemp?

Hon. Mr. CHOQUETTE—No, not a word. Now I have nothing to do with that letter of Hazelton's, but it contains nothing offensive to the soldiers, especially to English and Irish, etc.: he spoke of the men who had been rejected, and I am not surprised at what he said. Though I do not ap-

prove of the whole, there is an excuse for him. Go back to the Debates of 1905-6 and what do we find? On the 12th of July, 1905, Hon. Mr. Roche, the present Minister of the Interior; Hon. Mr. Borden, now Prime Minister, and Mr. Ames spoke on the subject of immigration, and there were two speeches by Hon. Mr. Foster the same year, and what do we find? Criticisms levelled at Mr. Oliver's head of the Government policy in bringing immigrants from every European country to Canada and paying for them $5 a head. And what does Mr. Foster say? The quality of the individual makes no difference to the Government or to them, provided they, the North Atlantic Company, get paid. Therefore it is not surprising that a man who is a Tory, who has been fighting the battles of his party, believes that all the strangers from every part of Europe who were brought in at $5, or $2 a head, were from the slums of European cities. Hazelton, who has been a Tory boss, and is to-day, according to the Gazette, fighting because he is mad with Maclean to have Mayor Church to replace Mr. Maclean—he must be a good man if he is a friend of the mayor—it is not surprising, I say, that this man, when he saw in the Mail and Empire that over 75 per cent of the recruits were rejected on account of different kinds of incapacity or sickness, remembered the speeches of his leaders years ago about the kind of men brought here at $5 a head, and felt that he was justified in saying what he did in his letter of the rejected applicants. If any are responsible they are the leaders of the Tory party, more than Hazelton. I thought, in fairness to him, and in justice to myself and to those who have been accused, it was but right that I should make these remarks. In the debate which took place in the other House when Mr. Kemp spoke about this matter Mr. Maclean thought fit to say something too. I have the Hansard report of his speech in my hand, and I refer to it at page 2997, 14th April, and challenge hon. gentlemen to find a single word of reproach against that man Hazelton. I have been accused wrongly, not only on this occasion, but on other occasions, when attempts have been made to connect my name with the great chief of the Liberal party. Fortunately, as soon as I saw that I disclaimed it. Sir Wilfrid stated that my political relations with him were strained, and it is true. I have differed with him. That is, perhaps, my mistake. If so, I regret it, but I am not here for my pleasure only, but to serve my country, and when I think the Liberals are not doing what is right according to my judgment I am at liberty to say, "I am very sorry to disagree with my chief, but I am thinking for myself." I am glad that my remarks have been reproduced in the other House to show that. I have also been accused of stating last January that England was in some degree responsible for the war, because, reading public documents, I thought they should have taken their stand at once, and hon. gentlemen will remember that some of my hon. friends stated that they did not agree with me. But how was it? I just mentioned the fact that, reading over the public documents, I had some very small blame to put on England. How was it that the Montreal Gazette, not later than the 18th, published the following telegram from London:

With "Bobs" Advice Taken There Would have been no War.

Special Cable From the Gazette's Resident Staff Correspondent.

London, April 18.—Acknowledging the gift of the Y.M.C.A. hut opened at Shorncliffe for the Canadian soldiers, General Steele said that those who were soldiers had foreseen the present war. If Lord Roberts' advice had been listened to, there would have been no war. Britons would first teach the Germans not to break treaties, and then teach them the greatness of British trade.

"If Lord Robert's advice had been listened to there would have been no war." It is much more than I said and he is not condemned, while I was abused from one end of the country to the other by the English press.

Hon. Mr. DANIEL—Would the hon. gentleman have been in favour of carrying out Lord Robert's advice under those circumstances?

Hon. Mr. CHOQUETTE—I do not know if such a question ought to be answered. I do not know exactly what Lord Roberts' advice was, but it is not my business to approve or disapprove of Lord Roberts. If the English Government did not see fit to approve of Lord Roberts' advice, I am quite free to let it stand. How is it that when General Steele made this statement nobody censured him? Is it because he is an Englishman? Now I have been blamed not so much for what I have said, but because I am the man who said it and I am a French Cana-

dian. I should be sorry if in this country public men, either French or English, Catholic or Protestant, are not at liberty to express their minds openly and publicly, and are judged not by what they say, but by their nationality or religion. That will be a bad day when it comes. How can this country be united when in Toronto every day we have abuse heaped upon our heads and when nobody dare raise his voice to protest against it? How can this country be united under such circumstances, especially in a time like this? The Hon. Mr. Graham gave a very interesting lecture in Quebec some days ago, preaching conciliation and reconciliation, and as soon as he had spoken his mind openly he was abused by the Toronto papers, the News accusing him of going to Quebec to speak one way and to Ontario to speak another way. Is it fair and just? What do we find in Toronto? You find officers insulting Quebec as did Lieut.-Col. Herbert Lennox the other day and who added: He would back his 450 men against any 450 Frenchmen on earth.

I say to the colonel, do not be too quick. The Frenchmen are getting up two hours earlier in the morning than the Englishmen. You are the cause of all this trouble. And when you accuse the men of Quebec of not being brave you must remember that not long after the cession of the country the Frenchmen were defending Quebec when the Englishmen were at the Island of Orleans hiding their skins and money, etc. That is history. They would not do so now, and I am pleased to say they would fight as well as the French. But it is better not to speak of that. As to recruiting, taking into consideration the large number of men rejected, I am somewhat of the same opinion—that those rejected are some of the immigrants sent from the slums of London years ago by the Church Army. They sent to Canada, as a gentleman boasted, 3,000 drunken men from the slums of London. If I remember a facsimile of this letter was published in one of the Montreal papers at the time. Is it surprising that so many men of Toronto have been rejected? I have been forced to bring this matter up. I would not have taken the trouble to rise on a question of privilege in regard to an article in the Star, but I have been forced to discuss the question to-day by an inquiry placed on the Order Paper by the hon. gentleman from Leeds. With regard to what I said the other day I was and am still willing to be judged by every member of this House, but when I was abused in the press in every way possible, I thought it only a duty to myself and to my family to say that I repudiate in the strongest possible manner these accusations and throw them back in the throats of those who have been cowardly enough to make them. With those words I have no objection that the motion be dropped.

Hon. Mr. BEAUBIEN—I happened to be in Toronto for a few days, shortly after a mob had assaulted Hazelton and would have injured him very seriously had not the police interfered. The papers of Toronto were full of the incident, big headlines everywhere. The newspapers connected the riot with the speech which had been delivered in the Senate. I want to say that I heard generally from people of high standing, people of culture, expressions which pained me very much, because these people thought that what had been said, and the manner in which it had been said in the Senate could be properly attributed to the whole of the province of Quebec. They said to me "Who is this man Mr. Choquette, the Senator? Why does he arise in the Chamber to read a letter which is nothing else from beginning to end but an insult to the English race in this country." "Well," I said, "I have no mission to defend Senator Choquette, but I can assure you he is not voicing the sentiment of the province of Quebec." They told me, "We think we have a right to believe that the people of culture in the province of Quebec, to a certain degree anyhow uphold those views. Is he not a magistrate as well as a senator?" I was extremely sorry to hear such remarks. In a few words this is how the unfortunate incident strikes me: Suppose for an instant that one of the hon. gentlemen in this House, of English descent, should rise and quote from the Toronto newspapers, for instance, reflections on the province of Quebec, provoked by the hon. gentleman's speech, to the effect that the people of the province of Quebec were cowards, I wonder if the hon. gentleman would sit silent in his chair or whether he would rise immediately and resent the insult.

I congratulate my English-speaking colleagues in this House on having listened patiently and in silence to the reading of this Hazelton letter—which I understand the hon. senator made his own when he read it, from whoever it might have come.

Did it not say that the Eng'ish immigrants of this country were sons of—

Hon. Mr. CHOQUETTE—No.

Hon. Mr. BEAUBIEN—Excuse me, I will make no mistake; I will read the letter:

These defectives are 99 per cent so-called English—are they English—or are they the offspring of foreign sailors and English "dock prostitutes".

I should like to know what the sentiments of the hon. senator would be if somebody rose in this House and read a letter in which they would state exactly the same thing of the French immigrants of this country?

Hon. Mr. CHOQUETTE—I would say that that applies neither to English, French, Irish nor Welsh. Read the letter fairly.

Hon. Mr. BEAUBIEN—I have read it. Now, hon. gentlemen, what is the result of all this? I regret to say that it is setting apart more and more the two chief races of this country. That is a real crime. The hon. gentleman stated that to encourage enlistment was a crime. That is our bounden duty. But it is a real crime to set the two great races of this country against one another, especially at a time like this; and the people who do it will stand branded before this country.

Hon. Mr. CHOQUETTE—Say that in Toronto.

Hon. Mr. BEAUBIEN—No, I do not require to say that in Toronto. I have said it often in the province of Quebec, and if my hon. friend wishes to be informed in this respect let him go to the places where just before this session began the Hon. Mr. Patenaude and myself, and other gentlemen, held eleven meetings for enlistment. Probably because the Senate debates are not as much noticed by the press as the debates in the House of Commons, the sayings and opinions of certain people in this House are given more importance and publicity sometimes than they merit, and on that account such speeches as we have heard from the hon. gentleman are accepted sometimes in other provinces as the expression of the sentiments of my race. I regret that the press has given to such speeches special publicity. I regret also that utterances of the same calibre are sometimes given the same wide publicity in the province of Quebec. When speeches are made of a nature to hurt the deep feelings of every man for his race—if the newspapers, by denying them publicity would consign them to the tomb of oblivion, we would have less trouble in preserving peace and harmony in this country. I do not pretend, however, that even on a subject like enlistment, a man should be refused free discussion. If he thinks that enlistment should not be pressed he may say so freely. But what is the use, tell me, of bolstering up an argument with an insult or an injury? Does it help it? If my hon. colleague thought that enlistment should stop, or should be restricted, or should be conducted in a different way, why take occasion to cite a letter which, to my mind, is not only an insult but a tissue of lies? My hon. friend said a moment ago that his remarks were listened to in silence. I do not blame anybody for not answering. In rising now I simply want to show the lamentable effect of such slanderous remarks even amongst men of my profession, men of learning, of high education, of large connection in the province of Quebec, who came to me and said: "The spirit that drove this man, your colleague in your House, to insult us by reading a letter of that kind is a sentiment that belongs to your race and to your province." I regret it. I regret it sincerely; and I hope that the explanation given by the senator to-day will, to some extent anyhow, dispel this impression, and show to these people that such was not his intention. I hope also that in the future, having first of all in view the preservation of peace and concord in this country, the press will give as little publicity as possible to such unfortunate remarks, and much less to any insults directed against any race or creed in the land.

Hon. Mr. GORDON—The hon. member from Quebec awhile ago expressed the view that because none of the members of this House rose to protest against what he had said in his speech of the 12th April, they were in accord with what he said, or at least did not disagree with him to the extent that they wished to rise and say so in the House. I think my hon. friend was mistaken. Although I was not here that day, I venture to assume that the members of this House thought the most expressive way of pronouncing contempt was by silence. I for one was not present on that day, but I have taken occasion to read over the speech of my hon. friend, and, having read it in a calm and impartial manner, I say that it is nothing but a libel, not only upon the

soldiers of our country, but upon the English-speaking people of this country. There is no question about that. My hon. friend intimated in that same speech that he was one of those who believed in safety first; that he would wait here until he was attacked—and I believe that he was speaking conscientiously that time, and that he ever was and ever will be one of those who will wait to be attacked before going out to attack the enemy. He says he did not libel the soldiers; but I ask the members of this House what they think of this paragraph in his speech? In talking of the soldiers, he said:

They are paid to do something, but probably some of them are adopting the calling for their own amusement, and to make a living.

Nothing libellous in that, or nothing slanderous? Further, on the next page, I find this:

I say it is a crime to strip the farms of these young men, and also, as we are doing now, to form a battalion of shanty men. The young men who spend their winters in the shanties are nearly all farmers' sons, who n the winter time earn money in the woods and return to the farm in the spring. When they leave the farm and enlist to go to the war, they change their mode of life and habits, so that many of them will be permanently lost to the farm.

The hon. gentleman says it is a crime to enlist from these sources. If it is a crime, then, to enlist from these sources, where is the source from which you are going to get the men, from which it is not a crime? Where is the source, I would ask the hon. gentleman? Is the source in his own family, or with himself? He says, "We stand here at home, and we won't fight unless we are attacked but if we are attacked we will fight." That is the only source that we have of getting the supply of men other than those we are getting; and until we adopt conscription in this country I submit that we must get recruits from amongst those that are willing to go; there is no other place to get them. I had not intended to say anything on this subject, thinking it better to treat the hon. gentleman's speech with silent contempt; but when he rose to-day and intimated that those who did not express themselves are in accord with his views, practically agreeing with him, I thought it my duty to rise and say what little I have said.

Hon. Mr. DANIEL—I should be very sorry indeed if the hon. senator from Grandville has the idea that because he was not replied to when he made his speech it was because the members accepted his views as their own. I am very much surprised indeed to hear that. I doubt if he can find another member outside of himself who did not most heartily dissent from his remarks. He has made a long speech to-day in explanation, I suppose, of the stand he took before. It was the longest explanation, without explaining anything, that I have ever listened to in my life. He complained that his speech had been distorted. He has not, in all the time he has taken up to-day, endeavoured to show that his speech was not what it has been claimed to be—an insult to the men who were recruiting, especially in Ontario, and to the whole English race. He has made no remarks this afternoon that could be taken in any way as excusing himself on that point. Now, what did he say with regard to the points referred to? I am just going to refer to one or two so as to show this House that his remarks were not so innocent as he endeavours to make them out to be. He says he always spoke well of the men in khaki; he had no fault to find with them; he boosted them and spoke of them as brave, and congratulated them on coming to the front, offering themselves to their King and their country, even to the extent of life and limb; what does he say with regard to that?

In Quebec I have seen men walking about the streets for twelve months. They are good men and I have nothing to say against them, but for the past year they have been putting in their time going to the theatres and cafés, and looking for the ladies in Quebec.

There is an intimation that those men who enlisted to fight our battles—yes, and his battles too—were doing nothing while wearing the uniform except idling around the streets of Quebec, going to the theatres and cafés and ogling the young ladies of the place. Among the very men that he referred to at that time must have been the 69th Regiment, a regiment of French-Canadian soldiers, with the exception of one company, commanded by Col. Dansereau, I believe the youngest colonel in the whole of the military force in Canada. This 69th Regiment spent its winter in St. John, so that I know them, and I know what I am talking about. They are as fine a set of men as you would find under any flag and in any army; and those very men that the senator said spent their time idling,

attending theatres and cafés, and ogling girls, are now either on the other side of the Atlantic or very close to the shores of England, because they left Canada some little time ago. No aspersion against the men in khaki? I say that that was aspersion. Those men were putting in their time drilling, in being trained, because you cannot make a soldier simply by putting a uniform on him and putting a rifle in his hand; he must be trained the same as any other professional man, specially trained, and it takes time to do that. But oh no, the hon. gentleman casts no reflection on the men in khaki. It appears as if, behind it all, he was sorry that there was such a thing in Canada as a man who put on khaki to fight the battles of the Empire. To me it looks more like that than anything else. Then he makes a reference to the numbers of men who were rejected in Toronto for the 169th Battalion. He says:

The 169th Battalion in recruiting to its strength of 1,131 men, examined 2,365 men, and therefore rejected as unfit 1,234. Another mounted squadron, amounting to 540 men, examined 1,744 and therefore rejected 1,204.

Now, what does the senator say in making this quotation?

"This is the class of men we are recruiting."

He actually says that the very men that are rejected, the men who are not accepted, who are turned down, are the men that we accept. Could you find a worse distortion of facts? Did you ever hear a statement made that was less in accordance with truth? He says that is the class of men we are recruiting. That is the class of men, hon. gentlemen, that we are not recruiting. That is the difference between the hon. gentleman's statement and the actual fact. Then he goes on further and says:

I see by the papers that there is no recruiting of good men in Toronto.

Has any one here a thought on the good men that Toronto has enlisted for the front—over 30,000 of them? Yet he says:

I see by the papers that there is no recruiting of good men in Toronto.

And the hon. gentleman rises up in this Chamber and says: "I never said a word against the men in khaki." Is not that saying something against the men in khaki? If it is not I do not understand the English language. Instead of making a long speech of an hour and a half, explaining nothing, the hon. gentleman should apologize for his remarks in regard to the men that we have enlisted, the men that are fighting for us, yes, that are losing their lives for us to-day on the other side of the Atlantic. That would be more in keeping with the position of a member of parliament of Canada, than making a long explanation going back over a whole lot of things that had nothing whatever to do with the matter in hand.

Hon. Mr. CHOQUETTE—This is the unrevised edition of the Debates you have. If you read the revised edition you will see this, that in looking over this paper, the Mail, I say that they are not recruiting the good men in Toronto. That is what I said.

Hon. Mr. DANIEL—It is all very well for the hon. member, after the speech is printed, and when he begins to think he has said something he ought not to have said, to cut it out of the Debates and say the revised edition is different, but he does not say that he did not say it.

Hon. Mr. CHOQUETTE—I say now that I did not say that. The correction is there.

Hon. Mr. DANIEL—If he had not said it on the 12th of April it would be more to the point. I will only make one more reference. All through his remarks the hon. gentleman has not been influenced by political bias, as I take it in his remarks; he actually accuses the hon. the Acting Minister of Militia of being dishonest in the remarks that he made when he referred to his speech as published in the press instead of his speech as published in our Senate Debates. I have referred to it already. I think the hon. gentleman would have done more credit to himself and to this chamber if, instead of making a long speech in an explanation which did not explain anything but which, in many respects, really made it worse, he had simply said that in those matters to which I have referred he, perhaps, went further than he ought to have gone. With regard to that letter of Hazelton's, the very fact of the hon. gentleman reading it in this House, giving it in that way the seal of his approval, made him a party to that letter, as the hon. gentleman (Hon. Mr. Beaubien) stated here this afternoon, and makes him, with Hazelton, one of the worst insulters of the English race in this country.

Hon. Mr. CHOQUETTE—I disclaimed responsibility for the letter; I just read it.

Hon. Mr. DANIEL—You fathered the letter and read it in this chamber, and that is the result of it. I hope the hon. gentleman appreciates fully the position he has put himself in. I do not envy him.

Hon. Mr. WATSON—I, as well as the hon. member from Grandville, have a grievance. I have been slandered through the press. The Toronto News gave a report of a speech made by that hon. gentleman on the 19th January, and represented me as the author of that speech. I think some measures should be taken by the members of this House to copy right their speeches, and not allow any other member to be credited with them.

Hon. Mr. CHOQUETTE—That is a compliment for you.

Hon. Mr. WATSON—I do not consider it as such. I may say I wrote to the editor of the News, Sir John Willison, and he corrected it the next day. I think the speeches in this House ought to be copyrighted, and every hon. gentleman given entire credit for his own.

The matter was then dropped.

THE DUTIES OF CHARWOMAN DELISLE.

INQUIRY.

Hon. Mr. MONTPLAISIR inquired:

1. Is there, in Quebec, at the Immigration building, a charwoman by the name of Celina Delisle?
2. What are her duties? Does she fulfil them or does she leave that care to other persons?
3. Does she draw her salary each month?

Hon. Mr. LOUGHEED—The following is the answer:

1. Celina Delisle is charwoman at Quebec immigration building.
2. The usual duties of charwoman. As far as information on record goes, yes.
3. Yes.

PURCHASE OF HORSES IN CANADA.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Was any arrangement arrived at between the British Government and the Dominion Government in the year 1914 or since, that the British Government would not purchase horses throughout Canada?
2. When did the British Government commence to buy horses in Canada?
3. Was any objection taken to their doing so? If so, by whom?
4. Has the British Government a representative in Canada at the present time buying horses?

Hon. Mr. LOUGHEED—I have not been able to get all the information yet.

Hon. Mr. BOSTOCK—When may we expect it?

Hon. Mr. LOUGHEED—I do not know. I am trying to get it.

EXTENSION OF PARLIAMENT.

QUESTION DROPPED.

On the Order of the Day being called Hon. Mr. Cloran will inquire:

If the Government of Canada is aware that the British Parliament, or any members thereof, have strong objections to the passage and adoption of the Canadian Parliamentary Extension Bill, praying for an amendment to the British North America Act, so as to provide for an extension of life to the present Government and Parliament of Canada for the term of one year; because containing no provision for the protection and safeguarding of the rights and interests of His Majesty's Loyal Liberal Opposition, in the Parliament of Canada, nor of the rights and interests of His Majesty's Loyal Liberal subjects throughout the Dominion of Canada, during the said extension of time of Parliamentary life?

Hon. Mr. CLORAN—I presume the Government have been unable to get the information called for in this inquiry. It is one worth answering if the Government has the information. The legislation we passed has not been dealt with in the past three months, and we ought to know whether the legislation is to be dealt with by the British Government or not. If the Government has information I will ask for it; if not, I shall ask that the question be dropped, as well as my resolution dealing with the same subject.

The question was dropped accordingly.

LIFE INSURANCE COMPANIES INVESTMENTS BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (35), An Act respecting Investments of Life Insurance Companies. He said: The object of this Bill is to compel insurance companies, both Canadian and non-Canadian, to invest a certain portion of the increase of their net ledger assets during the years mentioned in Canadian securities; that is, debentures, debenture stock, bonds or other securities of the Government of Canada. The Bill is in the nature of a war measure. It proposes that these investments shall be made to the extent of 50 per cent of the increase of their net assets during the years 1916-17.

Hon. Mr. EDWARDS—Just the two years?

Hon. Mr. LOUGHEED—Yes. This is to ensure a market to that exent for the sale of Dominion securities. It is not necessary for me to point out to hon. gentlemen that the market for our securities has become restricted since the war. We are to a very large extent excluded, if not entirely excluded, from the English money market. We have to rely upon selling our securities in the United States and in Canada. It seems to me that even under normal conditions it would not be an unreasonable thing to say to the insurance companies doing business in Canada that they should be compelled to invest a certain amount of their moneys in securities of the Dominion of Canada. No question could possibly arise as to the safety of such an investment. It ensures the safety of the insured, and it is of manifest advantage to the Government of Canada. It is thought that the adoption of this measure will result in from fifteen to twenty million at least of the securities of Canada being absorbed during those two years. With regard to the loan of one hundred million that was recently placed upon the Canadian market, some seven million of those securities were taken up by insurance companies doing business in Canada. This is a salutary measure and one that Parliament will readily adopt.

Hon. Mr. DOMVILLE—As we understand the Insurance Act of Canada, the companies have to put by a certain amount of securities to defend their policies—under the 4 per cent arrangement.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DOMVILLE—This is taken up for one year; supposing it goes to next year, what becomes of those bonds or Government securities the companies take? Are they allowed to resell them, and go back to any other securities they like? I am not finding fault with this measure, because I entirely approve of it, but I should like to see that this step taken in the right direction should apply in the future for the security of the policyholders.

Hon. Mr. LOUGHEED—There is no good reason why that should not be the case. This does not propose to compel the insurance companies to dispose of any of their present investments, but to invest 50 per cent of the increase of their net ledger assets during those two years in the securities which I have mentioned.

Hon. Mr. THOMPSON—Are they expected to hold them, or can they finance them again? If they have once invested the money, are they then available—

Hon. Mr. LOUGHEED—As my hon. friend is probably aware, an inspection is made every year of the securities held by these companies, and the insurance companies are restricted as to the nature of the securities which they shall hold. Consequently in that inspection when made, and in the inventory of their securities, it must become apparent that they have complied with this Act. That is to say, during the years 1916-17, whatever the increase in their net ledger assets may be, that increase will have to be invested and 50 per cent of that increase must be in Dominion securities.

Hon. Mr. THOMPSON—I quite understand that, but if they find on the inspection that they had made an investment of 50 per cent of their profits in Dominion securities, does it follow that that inspection would have to find that those securities were still in the possession of the insurance companies, or could they get them as they are listed and sold?

Hon. Mr. LOUGHEED—If the hon. gentleman will look at clause 3 he will see that it says "Shall hold and own, etc., during the year."

Hon. Mr. BOSTOCK—The hon. leader of the Government has told us very clearly why it is necessary at the present time to bring down a measure of this kind which is so compulsory in its nature. Are we to understand that the Government find it necessary to deal in this way with insurance companies in order to raise the money they require for carrying on the business of the country? He says that the Government will probably receive somewhere between fifteen and twenty millions towards the Government loan through this legislation. That of course is a compulsory measure, and if it is necessary to take a compulsory step of this kind, may it not be necessary for the Government to go further and take action such as the Government in England has taken with regard to the mobilization of securities, and mobilize all the foreign securities, or most of them, held in the country for the purpose of getting money to carry on the business of the country. This is only, it seems to me, a step in the right direction, and a serious step to be taken. I should like the hon. gentleman when we go into committee to tell us if he can how far these life in-

surance companies have come forward and subscribed to the hundred million loan referred to.

Hon. Mr. DOMVILLE—I appreciate this as a forced loan for the moment.

Hon. Mr. LOUGHEED—Not a loan at all but an investment.

Hon. Mr. DOMVILLE—There should be a saving clause in the public interest, that from now on these insurance companies shall hold assets that are a thorough protection. I have not the Insurance Act before me, but if my memory serves me right, the insurance companies can invest in anything they like. There is hardly any limit.

Hon. Mr. LOUGHEED—Whatever the Act may say.

Hon. Mr. DOMVILLE—But that is a fast and loose Act. I am not criticising this, but what a splendid chance now, for the future of Canada, to insert a provision that these insurance companies shall retain a certain amount of Government securities for the benefit of the shareholders. An insurance company is far different from the ordinary speculative company. They come in and do this, that and the other, so long as they keep within the four corners of their charter. But we might go back to the case of the Mutual Reserve, where the whole country was sacrificed, and if these gentlemen are allowed by Parliament, and with the consent of the Government, to carry on business, for the protection of widows and orphans, they should be safeguarded, I do not care how good a company they are, and I do not care who the directors are. Now is a chance to insert a clause, without opening up the question as to the position of these insurance companies, which might alarm the public. I think no harm would be done if we added a few words as follows:

And such investments shall remain as part of the securities which the company will retain for the protection of policy-holders.

Hon. Mr. LOUGHEED—When we go into committee I shall be very glad to consider that.

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

TABER IRRIGATION BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (84), An Act to authorize certain school and Dominion lands to be included in the Taber Irrigation District in the province of Alberta.

He said: This is a Bill to facilitate the carrying out of the wishes of the Taber district in Alberta to avail itself of the provincial machinery in connection with irrigation, as enacted by the laws of the province of Alberta. The object is that school lands which are owned by the Government in trust for the province should practically be placed in the same position as other lands within the district, save and except that the lien of the Crown shall be preserved as to any unpaid purchase money that may be due upon the lands or may arise in the future. This will permit the scheme which is outlined in the Bill to be carried into effect.

Hon. Mr. DAVIS—That means that the school lands which have been sold and have not been paid for in full and no patents issued, shall be liable to taxation by the province.

Hon. Mr. LOUGHEED—Yes, it refers to all school lands that have been sold; that is to say, if school lands have been sold, the purchasers who have not completed their payments shall be subjected, by reason of being the purchasers of those lands, to all the obligations that may be in force against the other lands within the district, but it preserves the lien which the Crown has for the unpaid purchase money.

Hon. Mr. DAVIS—I want to draw my hon. friend's attention to the fact that this land stands in the name of the Crown. Under the British North America Act any land standing in the name of the Crown is not subject to taxation, and this Government cannot change the British North America Act. The hon. gentleman will find that the British North America Act is very plain on that point.

Hon. Mr. LOUGHEED—But we can legislate whether the lands we have sold shall become subject to taxation. The lands the crown has sold shall become subject to taxation so far as the purchaser is concerned even though the payments have not been completed.

Hon. Mr. DAVIS—As long as they are vested in the Crown and belong to the Crown and appear in the books of the registry as Crown lands, they are not subject to taxation.

Hon. Mr. LOUGHEED—But the purchaser is assessed on the basis of the value of the land, and the tax is collected from

the purchaser, or from such property as he has on the premises, but the land would not be sold by tax sale owing to the title being vested in the Crown.

Hon. Mr. DAVIS—The personal property of the purchaser would be subject to seizure for the taxes.

Hon. Mr. LOUGHEED—Yes.

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

PRISONS AND REFORMATORIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (86) An Act to amend the Prisons and Reformatories Act. He said: This Bill has to do with certain reforms which are being carried out in the province of Ontario with respect to their reformatories. They have established industrial farms in the province of Ontario, the operation of which has been extremely satisfactory. This Bill proposes to give to the province of Ontario authority to transfer from reformatories, or from jails or penal institutions, which are maintained and administered by the province of Ontario, to those industrial farms, and in turn it permits them to transfer prisoners back from industrial farms to the jail or other reformatory which they may have. It also proposes to give increased powers to the Board of Parole. That board has been instituted for some time under the legislature of the province, and, very peculiarly, in connection with the indeterminate sentences concerning which we legislated some time ago, there is no machinery by which to determine the duration of an indeterminate sentence. It is now proposed to give this Board of Parole authority to recommend when an indeterminate sentence should terminate. It does not take the authority entirely out of the hands of the Dominion authorities, but places the power of recommendation and also of inquiry in the hands of the Board of Parole. The Bill throughout is in the nature of a reform measure, and when we come to discuss it, and deal with the various details, I think it will appeal very strongly to hon. gentlemen as being very much in the public interest.

Hon. Mr. DAVID—Would the hon. gentleman tell me why subclause 3, with the subsections should apply only to the province of Ontario? Is there any special reason for that?

Hon. Mr. LOUGHEED.

Hon. Mr. LOUGHEED—They are made to apply to all provinces under similar conditions where industrial farms may be established. I believe no other province in Canada has done so, and it is with a view of importing into the Act machinery whereby the inmates of these institutions can be transferred to those industrial farms.

Hon. Mr. DAVID—Do I understand that clause 4 applies to all the provinces, and not alone to Ontario?

Hon. Mr. LOUGHEED—It would be applicable to Quebec if that province had industrial farms.

Hon. Mr. CLORAN—Will the hon. leader tell the House on what ground he bases the legislation. The provinces are complete masters of their own individual institutions. For instance, they have a common jail in any large centre, and station houses and reformatory schools. At the present moment when a boy is in the common jail, the provincial authorities can, of their own motion, transfer him from one jail to another. For instance, in years gone by when the jail in Montreal became overcrowded they transferred some of the inmates to Quebec. There was a time when the accommodation in the Montreal jail was too limited for the number of prisoners, especially in the summer time, and they were transferred to Quebec. The Government of the province did all that without any interference from the Federal power. I am not opposed to the measure. I should be very much surprised to learn in the end that the province of Ontario has not the same right as Quebec in regard to these matters. If it is necessary to give the province of Ontario the right to transfer prisoners from one institution to the other, then give it.

Hon. Mr. LOUGHEED—My hon. friend misapprehends the force of this legislation. The province would have authority to transfer a prisoner from one jail to another. But this introduces into the Criminal Code a new situation. A man is sentenced to say a period in jail; the province could not transfer him from that jail to a reformatory. He must be sent to one of the institutions stated in the commitment in the first place. This legislation has for its object giving authority to the province to transfer from the jail to the industrial farm, or from the jail to the re-

formatory, or from the reformatory to the industrial farm, as the case may be.

Hon. Mr. CLORAN—The power is vested in the province at the present moment. You may call it a detention place, an industrial home, or a reformatory, it is the same thing. A man is deprived of his liberty, and whether he breaks stone in a jail yard or plants potatoes in the field, he is being dealt with according to law. I do not see the necessity of this legislation. The provinces are enjoying these rights now, and they can take a boy from the jail and send him to the reformatory, or take him from the reformatory and send him to jail. If the local authorities notify the proper officials that they cannot keep a prisoner, the provincial authorities must put him in jail. I have no objection to the legislation, but it is surprising that the province of Ontario has done without this right for so long, and is now having it introduced into the Criminal Code. If a justice of the criminal court sentences a man to two years or anything over that, he has to go to the penitentiary; the province will not keep him.

Hon. Mr. LOUGHEED—The commitment states where he shall be confined.

Hon. Mr. CLORAN—And it lies with the Attorney General to change that, if he deems it necessary.

Hon. Mr. LOUGHEED—I shall be very glad to deal with that in committee.

Hon. Mr. CLORAN—If a magistrate condemns a criminal to two years or more he has to go to the penitentiary and becomes no charge on the province, and I am sorry to see that they do not send more to the penitentiary than to jail, because a jail is not a proper place for boys of nineteen and twenty. They are better in the penitentiary. They can only sentence a prisoner to the jail for two years, less a day.

Hon. Mr. DAVID—I think when a man is condemned under the laws of Canada, when he is in a jail for having violated the laws of Canada he should not be moved from that jail by the provincial authority.

Hon. Mr. CLORAN—The hon. gentleman ought to be aware of the fact. He is at the head of a large department in Montreal. How often have the provincial authorities been obliged to send men from the Montreal jail to the Quebec jail, and vice versa?

Hon. Mr. DAVID—When the reformatory is full.

Hon. Mr. CLORAN—Yes, but they can send from the reformatory school to the jail, or vice versa, if they find the boy cannot be dealt with.

Hon. Mr. POWER—I think this is decidedly a step in the right direction. The province of Ontario, in the matter of farms for criminals, is ahead of the other provinces. It is highly probable that within a very short time other provinces will adopt this system of sending prisoners to farms from reformatories and jails, and the suggestion I make is that a clause, or two or three clauses, should be inserted in this Bill to provide that if in future any other provinces wish to do what the province of Ontario now wishes to do, it can be done without coming to Parliament again.

Hon. Mr. LOUGHEED—That is the case. It will automatically apply to other provinces.

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

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

THE SENATE.

Friday, April 28, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

EXPENSE OF PRINTING PUBLIC DOCUMENTS.

INQUIRY.

Hon. Mr. POWER rose to

call attention to the waste and inconvenience arising from the unnecessary printing of certain public documents and the unnecessary distribution of printed matter, and inquire:—

If the Government propose to take prompt measures for the lessening of such waste and inconvenience?

He said: There are two points to which I wish to call attention. First there is the waste, that is the unnecessary expenditure of public money, and next, there is the inconvenience which arises from the working of the present system. I shall trouble the House with a few observations on both points. Looking at the accounts which are submitted to us, we find set out as chargeable directly to the printing and distribution of public documents an amount

of about $600,000 a year. But in addition to that, there are large sums disbursed for nearly all the departments in connection with the printing and distribution of documents. I assume, therefore, that probably the expenditure is not less than one million dollars a year. A large proportion of that sum might be saved, not only without loss or inconvenience to Parliament, or the public, but with an actual increase of convenience to members of both Houses and to the public. The inconvenience to which I refer arises from two or three sources. First, there is the shipping and packing of books and documents from the King's Printer's office, from the Parliamentary Distribution Office, and from various departments. That involves a good deal of trouble and expense; and then there is the inconvenience arising to the parties to whom those documents are sent.

Hon. gentlemen do not need to be told about that. They know what trouble they have trying in some way to get rid of the piles of blue-books sent to their addresses.

Hon. Mr. DANDURAND—And the yellow ones

Hon. Mr. POWER—The yellow ones are the bound volumes. These are two inconveniences, and the third serious loss to the public service is the delay in the printing and distribution of the public statutes and journals and other necessary documents—things which should be distributed at an early date. Take the statutes. We meet here and sit for three or four months and pass a number of Acts which are supposed to, and actually in most cases do go into operation immediately upon their being assented to by the Governor General, or his deputy. My recollection does not go back many years in connection with this particular subject, but I know that during the past few years it has been, as a rule, nearly four months after prorogation before the statutes passed during the session are distributed to members. Hon. gentlemen will see that is an inconvenience and a serious loss to the public generally, and liable to lead people through the country inadvertently to violate the law. There is another circumstance which I look upon as being a serious drawback to the present system, that there is so much matter printed which is unnecessary that the Government find themselves compelled to resort to outside printing establishments for the purpose of doing work which the Printing Bureau cannot cope with. So far for the inconvenience.

Hon. Mr. POWER.

Now with respect to the unnecessary expense, there is, as every hon. gentleman knows, a great deal of duplication in the blue-books. If any blue-book which is generally distributed contains information in the way of statistics or otherwise, that is enough. There is no reason why the identical information should be printed in perhaps two or three other reports or other public documents. Take for instance the Trade and Navigation returns, and the reports of the Department of Trade and Commerce. Every hon. gentleman knows that practically the reports of the Department of Trade and Commerce embrace everything that is in the Trade and Navigation returns. They are almost altogether duplicates one of the other. The reports of the Department of Trade and Commerce are, as a rule, somewhat fuller, but there seems to be no reason whatever for publishing a set of volumes containing the Trade and Navigation returns. There is unnecessary duplication there. Then, if you take the report of the Secretary of State and the Civil Service Commission, hon. gentlemen will find in the report of the Civil Service Commission, as a sort of appendix, all the statutes relating to the Civil Service. That same information, which really makes a small volume in itself, is to be found in the report coming from the Secretary of State's Department. The Civil Service List contains, as a sort of appendix, all the statutes affecting the Civil Service. Then there is no object whatever in publishing that same information in identically the same form in the report of the Civil Service Commission. I know, as an explanation of these duplications, that there is a natural desire of the officers of any department to produce as large and imposing reports as possible. The idea is that a department which submits a voluminous report will be thought more highly of by the public, and perhaps to a certain extent by the members of Parliament.

Then take the Auditor General's Report, to which every one looks for reliable and accurate information. That report is not exactly a duplicate, but it does duplicate a large proportion of the Public Accounts. All the appropriation accounts which are contained in the Public Accounts are also contained in the report of the Auditor General. I think that is where they should be found, and there is no earthly necessity for printing them in the Public Accounts. Then there are certain other reports which, while they do not completely

duplicate one another, do so to a very large extent. The Department of Indian Affairs publishes quite a considerable volume now, and a very large proportion of the space in that volume is given to the repetition of appropriation accounts which are to be found and which are discussed in the report of the Auditor General. The same is true of the Postmaster General's report; he repeats a deal of information which is to be found in the Auditor General's Report. The same way with the Railway Department; the same way with the Intercolonial Railway, and with the Telephone Statistics, of which there is a volume; and there is a good deal in the Railway Report which is a duplication of what is to be found in the Auditor General's Report. So far for the duplication.

In addition to the duplication of information which should properly be set before the public, there are publications which are absolutely unnecessary. Take the Department of Trade and Commerce. That department publishes a yearly report. Some time since it adopted the practice of publishing a monthly report, and recently that department has gone still further and publishes weekly reports. I have in my hand the last weekly report of the Department of Trade and Commerce. As hon. gentlemen will see, it is quite a respectable pamphlet of about 70 pages, containing some interesting information, but I find that in this report the minister quotes at great length from the monthly report which was published for December—this is the weekly report for Monday, 17th April. Now, why should the money of this country be spent in reproducing in this weekly report what had already appeared in the monthly report for December? No private individual would transact his business in that way. I may say that I have been pleased to be informed that action has been taken by the Government in the right direction in regard to the matter to which I called attention last session, or the session before. I had protested against the publication of the monthly unrevised statement of exports and imports, and I understand that the publication of that particular report has been discontinued, and such discontinuance saves something over $12,000 a year, which is a considerable item. The Agricultural Department, as at present conducted, issued a great many reports, and weekly issues also; amongst others a pamphlet which is called the Agricultural Gazette. Now, the interests of agriculture are dear to the hearts of all Canadians, and more particularly to the members of the two Houses; but one should be sure that the publication made by the department is really beneficial to the agricultural interests. I had a farmer friend to whom I was anxious to send any information that might be interesting and instructive to him, and I thought this Gazette would be just the thing that I wished to have; but I looked over it and could not find in it one thing of any value to the practical farmer. I think that that is true of most of those hebdomadal—if I may use a long word—publications of the Department of Agriculture. I think it is the duty of the Government as a whole to put some restraint on their members who are doing too much in the way of publishing. Now, if this duplication that I have spoken of were put an end to and the unnecessary publications were discontinued, you would cut down the present expenditure very considerably.

Hon. Mr. DAVID—Hear, hear.

Hon. Mr. POWER—Then as to distribution, it is not necessary to go into the inconveniences that arise to members from the present system; but it seems to me that it ought not to be difficult to prepare a table which would give a list of all the official publications for the coming year. This table might be sent out, say about September, to every member of the two Houses and to other parties who are entitled to receive the blue-books, with a request to return the table say by the 1st of October, after indicating on the table the number of copies of each blue-book which the recipient wishes to have sent to his address. The result would be that at the beginning of the year the King's Printer would know just how many copies of each blue-book would probably be called for, and the distribution offices here and at the King's Printer's Department, and the other departments would probably be relieved of at least half of the work they do in the way of distribution. Naturally there would be some copies held in reserve, but a very large saving would be effected in the matter of printing, apart from the distribution altogether; and in the matter of distribution the number of blue-books would be considerably reduced and a very considerable saving would be effected. Amongst other things, and in addition, you would save the cost of packing and distributing the greater part of what is now distributed. Then the King's Printer would be in a position to distribute in good time the

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Statutes and the Journals of the two Houses and the really necessary blue-books. I am pleased to say that I understand the Government has been taking some steps towards diminishing the abuse which now exists, and I hope that they will continue. I have some question as to the wisdom of the first step which I understand has been taken, that is, the appointment of a gentleman who will supervise this distribution.

It seems to me that the staff of the King's Printer's Department, taken in combination with the office of distribution of documents in the Houses of Parliament, should be quite capable of doing that work without appointing a new officer. I assume the new officer would find that he requires dear knows how many assistants. He will be a deputy minister, or regarded as one, and he must have a staff, and a very large proportion of the saving which may easily be effected will be lost in the payment of this officer and his staff. It does seem to me that the natural course, the businesslike course would be that the Government should devote a few hours—it would not take more than that—to deciding what documents should be printed and distributed, and what should not, and then to instruct the King's Printer and the other necessary officers how they should act.

Hon Mr. SPROULE—The subject which the hon. senator has drawn to our attention is one of considerable importance. I agree with a large part of what has been said, but with some I disagree. One of the latter is in regard to the distribution of agricultural literature to the farmers of the country. He seemed to think it was of very little use.

Hon. Mr. DANDURAND—No, no.

Hon. Mr. SPROULE—I have been operating in that line for the last thirty years, having been connected with nearly all the agricultural associations in our country for a length of time, and I have been on the agricultural committee for over 27 years—

Hon. Mr. POWER—I do not object to the distribution of valuable information with respect to agriculture. I do object to the distribution of papers which really contain no valuable information whatever.

Hon. Mr. SPROULE—The only item which the hon. senator referred to was the Agricultural Gazette. That I cannot say much about, because I have never examined it, but with regard to the usual reports sent out—

Hon. Mr. POWER—I have no objection to them.

Hon. Mr. SPROULE—I am familiar with the reports sent out by the heads of the various farms throughout the country, because I had to do with them for the last 32 or 33 years.

Hon. Mr. POWER—I decidedly approve of the distribution of these reports.

Hon. Mr. SPROULE—I was going to say that in my judgment these are very valuable, very useful and are sought after largely by the agriculturists of the country. With reference to the printing, the hon. gentleman suggests that a few members might go over these, and instruct the department what they should distribute. That is not the method adopted by Parliament. The Printing Committee recommend the distribution of certain lines, but one of the troublesome abuses that both these Houses have always had to contend with is, in my judgment, due to the action of the members themselves.

A subject comes up, for instance, in this House, and refers to something that, in the judgment of some member, should be printed immediately and distributed in large numbers. He moves that the rule which prevents that being done until it is recommended by the Printing Committee be suspended, and that a large edition of the document be printed. I have seen that in the House of Commons over and over again, and repeatedly drawn attention to the fact that it was cultivating a very loose habit, leading us into large expenditure, which in my judgment at least was in many instances entirely unjustifiable.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. SPROULE—Because I have known such documents to be printed and laid away in the basement of the House of Commons, tons of them, that were never distributed, and you could not get any one to take them away. If we followed out the rules and sent matter of this kind to the Joint Committee on Printing, to determine what should be printed, we would do away with the evil to a great extent. The distribution of the monthly trade and commerce reports has been mentioned. For nearly two years I endeavoured to get that and many other annual reports, and some of the monthly reports, reviewed for the pur-

pose of reducing expenses, as in my opinion, and in the opinion of many others whom I have consulted, they were quite unnecessary. Take for instance the Trade and Commerce report, if you like. Copies are issued to each member. There are 221 members in the House of Commons and 91 senators. Each member of the Commons receives four copies, in all 884 copies, of that report, and I venture to say that they do not use two dozen of them altogether. Take the same report issued monthly, which contains the same information; each member receives two copies, which means 442 copies of the Trade and Commerce report, in addition to the 884 copies of the annual report issued. I endeavoured to get the committee to take this matter up. I asked the Government either to appoint a commission, or in some way let me have a conference with the Printing Committee and endeavour to curtail the expense. We got the committee together and I am free to say, after carefully explaining to them the position, they agreed with me that it was unnecessary in future to issue a monthly report, and that is the reason it was stopped. But with regard to the other reports, distributed in much larger numbers than the members wanted or could use them, they refused to do anything, because it was drawing close to the end of the session. Take the annual reports, every member receives two copies of each report. I suggested an improvement on the present system in the House of Commons. My suggestion was that each member should write a card and obtain two or three copies of any report that was issued if he required it. Let the distribution office be requested to send a report to any member who wanted it. One copy, and that is sufficient for each member, and if he requires more let him apply to the distribution office, and they could furnish him with what he wants and no more. Some members have told me that you almost have to set apart a room in your house to pile away the parliamentary documents they receive and do not use. We often have to give them away to societies that sell papers in aid of funds for missionary work, or something of that kind. We have to dispose of them in that way, because they are not only useless, but in our road. One copy of each report should be sufficient for each member, and I apply that remark to the Debates as well. Each member receives two copies of the unrevised Debates. One copy is ample, because members can easily get extra copies from the distribution office by dropping them a card. I have done that a hundred times. That would enable us to reduce by very much more than a half the reports that are issued to the two Houses. It would effect a very substantial saving, because it means not only paper, printing and distribution, but carrying those reports through the mail free. The regular distribution office and mailing office should be down at the Printing Bureau. Let the distribution office send their list to the Printing Bureau. The reports could be mailed in the post office inside their own building and sent out every day in the year except Sunday. That would do away with the necessity of two rigs going back and forth daily, summer and winter, between the Printing Bureau and the House of Commons and the Senate. That is an unnecessary expense which could be stopped without any inconvenience whatever to the members, and it would do away with the necessity of keeping up a considerable staff that we have in the distribution office. One man, with a boy for an assistant, did the work of that office for many years after I came in, and now we have four or five at very high salaries to distribute the reports got out by the Printing Bureau. By adopting some such system we could reduce the cost of printing for the House of Commons and the Senate. This applies to all reports and to the method of distribution. It applies to the cost of setting type, paper, binding, etc. In all those lines we could make a very substantial reduction. The hon. gentleman from Halifax referred briefly to how the reports could be gotten out, but he might have gone into it at greater legnth. If any one possessing an analytical mind and familiar with Parliamentary work and what might be expected from Parliament would look over many of those reports he would find that they contain a great deal of extraneous matter that has no reference whatever to the subject on which it purports to enlighten the people. It should not be there at all. It enlarges the reports to two or three times the size they should be. You could change that with regard to many reports. I have gone into this matter very carefully with men who are familiar with printing, and the cost of printing, and I am advised and believe that there could be a saving of at least half a million dollars in the printing of Parliament if a few competent men, who understood the business, and parliamentarians connected with the various

departments who are familiar with the work of the House and what might be properly given out to the country, were to come together and work out a scheme whereby the matter would be simplified and the cost of the reports sent out very much reduced, I think we could make a substantial saving which would be a benefit to the country, and do away with a great many employees—and their number increases from year to year—and we would have something that would be more likely interesting to the people, because it could be more easily comprehended than it is to-day. The agricultural report contains so much that might be interesting that I do not like to risk taking up the time of the House with it. A great deal of it is very valuable, but there is a good deal of duplication. Many men who get the report sent from the agricultural farms here, forward the same reports to their constituents, not knowing that their constituents are getting two or three reports of the same kind. This has been going on for several years. We had a list at the Experimental Farm, which was revised, when the members took the trouble to do it, every year, and they cut out those whom they knew were dead or had moved away, or did not require it, and only left on the list the names of men who desired the report, and also the names of those the member had himself been supplying, were cut out from his list. and he allowed them to fill the orders instead of sending them himself. That is one reason why we find no such distribution of literature from the seat of Government. If you look at your post office you will see three or four copies of the same report going to the same individual from different sources. This involves a waste of money and time. The people who get the reports will read only one copy. There are many other ways where the expense could be curtailed a great deal, and in my judgment the matter could be taken up by a joint committee of the two Houses, who could devise a better, more businesslike and more economical scheme than the present method. It could easily be done, and it would be much more valuable after it is done.

Hon. Mr. ROSS (Middleton)—I just wish to say that I am pretty much in agreement with what the hon. gentleman from Halifax has said about the publication and distribution of parliamentary documents. I think a committee which sat on this subject some years ago arrived at a conclusion that it would be wise for the Government to publish a list of all publications, and then send that to each member of the Commons to check off what he wanted. I know what I want. I want the Debates and the annual reports of the different departments, but I do not want the monthly reports. They are of no value and are a burden to carry home from the post office. I am glad to see that they have stopped sending them. We could reduce the distribution of these papers to a necessary minimum. As to one thing, I do not agree with my hon. friend. I refer to the Canada Gazette, which I do not receive, and I do not believe other members receive. The Gazette contains the Orders in Council, one of the most necessary things published, and unless I receive the Canada Gazette after this I am going to have a grievance. They can take three-fourths of all the other things and give me the Canada Gazette.

Hon. Mr. BOSTOCK—Is it not a fact that a copy of the Canada Gazette is sent to every member and senator?

Hon. Mr. ROSS (Middleton)—I have never received one.

Hon. Mr. BOSTOCK—I receive mine regularly.

Hon. Mr. ROSS (Middleton)—You may receive it as we did when in Opposition.

Hon. Mr. BOSTOCK—No, I received it before I was leader of the Opposition.

Hon. Mr. ROSS (Middleton)—I should like to receive copies of it. Immediately after Parliament arises, the first publication of the statutes should be made, and half the work of this country is done under Orders in Council which appear there.

Hon. Mr. POWER—I should be very glad to use my influence with the leader of the Government to see that the Gazette is sent.

Hon. Mr. DANIEL—How does the hon. gentleman know when Parliament opens?

Hon. Mr. ROSS (Middleton)—I only see it in the ordinary daily paper. I wish to say that I want that, that is all. It would be of more value than nine-tenths of the other stuff that is printed. As to the Agricultural Gazette, at present it is practically the organ of the Department of Agriculture, that is for the central station here, and the different stations scattered over the country. It is not of any value for distribution to the ordinary farmer, and

could only be of value in agricultural institutions or for experts. I thought at one time that it ought either to be abolished, or enlarged, so as to be a good agricultural paper for general circulation, but the difficulty about that is that it would come in conflict with the agricultural papers now published, and I understand there is a very substantial amount of discontent on the part of those newspapers towards the Agricultural Gazette even as it is published now, although it confines itself to the work of the experimental stations. I think, however, that the Agricultural Gazette might include the weekly statement, that is sent to all members, of recent discoveries and improvements in agricultural science, and an account also of the International Institute at Rome. That circular might be put into the Agricultural Gazette and there would be one publication instead of two. Then we might also have in the Gazette—as I hope we will have sometime—the yearly census taken for the benefit of the farmers of the country, giving an idea at some particular time of the year of the number of cattle, hogs, horses and the amount of grain and so on in the country—a thing that is absolutely necessary to enable any farmer to intelligently forecast this year what he is going to do next year. Failing some improvement of that kind, I agree that it would be better that the Agricultural Gazette should disappear, and that the matter which appears in it should go into the annual publication covering the work done by the central and subsidiary stations. Another thing might be attended to at the same time, that is, the circulation of copies of private publications. I never quite understood that. Ever since Confederation the Government takes up and circulates copies of books. The last one was a very good one, I thought; I read it and attached a good deal of value to it; it was the Life of Sir George Cartier, but there are half a dozen such. This has been done by all the Governments since Confederation; I never quite understood why this should not be left in the hands of the people who write and publish them.

Hon. Mr. DANIEL—I brought this matter up before the Senate, I do not remember whether it was one or two years ago, and I think it referred to the Joint Committee on Printing, of which my hon. friend, Hon. Mr. Derbyshire, was a member. What action that committee took I do not know, but I am quite interested in the subject, and from two points of view I think this matter ought to be taken up and dealt with by responsible parties—by the Government and any committee that it might appoint to carry it out. Those points of view are first, to avoid unnecessary expense from the great number and quantity of various publications now issued unnecessarily; and secondly, because of the great trouble so many unnecessary blue-books and double publications give to the individual member, who is practically deluged with them. As a matter of fact, I do not know what I am going to do with mine. I must either refuse to take any more, or build an addition to house them. I cannot get rid of them; nobody wants them; I cannot give them away, and they are very difficult to burn. They take up more coal than it is worth while to burn them with, so that it is an awkward matter. Of course, there are some publications that every member ought to have, some unusual publications, such as the blue-book containing the French Treaty and the French Convention. Also, when the diplomatic correspondence in connection with the breaking out of this war was published, every member wanted that. These are matters of great importance that nobody can indicate beforehand, because he does not know what publications of that kind are to be issued, and of course they are only published as occasion arises, but every member wants at least a copy of anything of that kind. With regard to the others, I share the opinion of the hon. member from Middleton, that I should like to get one copy of every departmental report. The advantage of getting it in blue-book form is that you get one year's report and then when the next year's report comes in you can burn those of the past years and you are only troubled with one set of reports; but if you get the blue-books, and then also get those yellow-books that are spoken of, the bound reports of the same things, they are bulky volumes and the number every year is large. It becomes a burden and really a nuisance to know what to do with them. I would very much like to see the matter taken hold of. I do not know any other or better way of getting over the difficulty than to have an index, or catalogue, of the various publications sent to each member, and let him indicate on that what publications he desires to have sent to him, of course keeping out of that any extra or unusual publication such as I referred to, of which no one has public knowledge beforehand, but which every

member necessarily would like to have. The hon. member from Halifax made some reference to agriculture. I do not suppose the hon. member is any more of a farmer than I am, and I am no farmer at all, but I think the last agricultural publication that came into my room contained a lot of very useful and very valuable information. I thought that if I were a farmer such a book would give me a great many pointers in regard to carrying on a successful farming business. I do not know whether it was the Agricultural Gazette or not; I think it was a larger publication.

Hon. Mr. POWER—That is another one.

Hon. Mr. DANIEL—It apparently takes a long time to effect improvements in dealing with matters of this kind. We started this movement, I suppose, two years ago, and have not got far yet, but there has been some improvement this year. For instance, I do not think any blue-books have been sent around—I have not seen any and am not getting any blue-books now, but merely a notice that such and such a book is in the Distribution Office. That is a little improvement, but I hope and trust that the Government will make some effort, either by appointing a committee to look after this matter, or by taking action themselves, to save a large amount of unnecessary expense, and relieve members of a great burden and nuisance, as they very well can do.

Hon. Mr. BOSTOCK—My hon. friend from Halifax is to be congratulated on the interesting discussion that he has raised on this question, and also on the support that he has received from hon. members on the other side of the House in bringing this matter to the attention of the Government. I think we are all agreed that a great deal of unnecessary expense can be avoided by improving our system of dealing with this question of blue-books. An improvement has been effected, as mentioned by the last speaker, by sending to the members a card giving the names of the blue-books as published, so that any member requiring any blue-book can send in a notice to the distribution office and obtain as many copies of it as he wants. In that way a great deal of unnecessary distribution is avoided. To some extent that action was due to a former motion moved by my hon. friend from Halifax, which was discussed in the Senate, and had a considerable effect in bringing about that reform. I trust, therefore, that this discussion to-day will have the effect of bringing about a further reform which is very much to be desired.

Hon. Mr. LOUGHEED—My hon. friend has asked the question in the inquiry:

If the Government propose to take prompt measures for the lessening of such waste and inconvenience?

The responsibility is evidently thrown upon the Government——

Hon. Mr. POWER—Of course.

Hon. Mr. LOUGHEED—of rectifying this alleged abuse; not that I wish to absolve the Government from the responsibility which they should necessarily bear in a matter of this kind, yet it must not be overlooked that this is an abuse for which Parliament is largely responsible, rather than the Government.

Hon. Sir MACKENZIE BOWELL—Altogether.

Hon. Mr. LOUGHEED—I need not say that the custom has grown up, it has been fostered ever since Confederation down to the present time, to furnish blue-books on every conceivable subject, and to furnish almost innumerable quantities for distribution.

Hon. Mr. POWER—If the hon. gentleman will pardon me—I think the change was made before the hon. gentleman came into the Senate—at one time there were not less than five copies of each blue-book sent to each man.

Hon. Mr. LOUGHEED—I need not say that parliamentary customs, like the rolling of snowballs, gain accretions as they progress, and such has been the difficulty, it seems to me, with our parliamentary printing. Every session has seen accretions to what had previously been gathered, until we are now threatened to be overwhelmed by the amount of blue-books published. If the desire for knowledge of parliamentary and constitutional government were in the ratio of the printing of our blue-books, it would show an insatiable thirst on the part of the public for that knowledge which is so essential for the proper government of a country. This subject might be divided into two branches, one parliamentary and the other departmental. Both, I think, are cursed with the abuses which have already been pointed out. Instead of some radical

and essential reform being effected, attention is directed to it from session to session without Parliament assuming the responsibility of redressing the grievance. It seems to me that this is a matter entirely in the hands of Parliament itself. Even though the departmental printing does not directly originate from or through Parliament, yet Parliament is certainly responsible for any abuses which may be in evidence. The parliamentary printing, is entirely in the hands of Parliament itself. The Joint Committee on Printing of both Houses has discretion to restrict this printing to whatever extent it may deem advisable; but, as has very well been pointed out by my hon. friend from Grey, the tendency on the part of any hon. gentleman who moves for a return is to exaggerate the importance of that particular return, and to impress upon the Joint Committee on Printing the necessity of printing several thousand copies and distributing them from the Atlantic to the Pacific. He probably is entirely unaware of the contents of the document, but so long as the necessary attention has been given by the country assuming the expense of the printing and distributing it broadcast, he feels that he has done a duty to the public and concerns himself no longer about it. Now, it seems to me that if Parliament instead of discussing this from session to session would assume the responsibility of appointing a committee that would be energetic and serious about bringing into effect a reform, this difficulty could be overcome. There is no question as to the extravagance involved in the present practice. Hon. gentlemen talk about saving some few hundreds of thousands of dollars; my own belief is that we probably squander a very substantial sum in excess of that. There is not only the material used in the printing of those almost innumerable documents, but there is the distribution and there is the mail carriage. I venture to say that it costs this country several hundred thousand dollars annually for the purpose of carrying in the mails the unnecessary printing in which we indulge. I would therefore suggest to my hon. friend—to whom we are indebted for directing our attention from year to year to this matter—that next session of Parliament, if not during the present session, steps should be taken towards the appointment of a joint committee of both Houses of Parliament to seriously enter upon the consideration of this matter, and to bring about a reform which is so much needed. I am satisfied that the Government of the day, whether this Government or any other, would be only too glad to assist such a committee in not only relieving them of their share of responsibility which they are bound to assume, but in relieving the country of the unnecessary expense to which they are subject.

SECOND READINGS.

Bill No. 8, An Act respecting the Niagara, St. Catharines and Toronto Railway Company.—Hon. Mr. McHugh.

Bill No. 24, An Act respecting the Toronto, Niagara and Western Railway Company.—Hon. Mr. McHugh.

ST. PETER'S INDIAN RESERVE BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 67, An Act relating to the St. Peters Indian Reserve. He said: In moving the second reading of this Bill, I might say that in 1907 the Indians of St. Peters Reserve, in the province of Manitoba, made surrender of a substantial portion of their lands to certain purchasers. Public attention was directed at the time to the alleged inadequate price which was paid for those lands, and proceedings were accordingly taken to have a review of the surrender. The province refused to register the transfers which had been made to the purchasers of the lands in question. The attention of the Dominion Government was likewise directed to the steps which had been taken to secure the very questionable surrender of the lands at the time. A commission of county court judges was appointed by the province to make examination into the various steps which had been taken to secure those lands from the Indians. The result was a report, by two judges, unfavourable to the surrender, and a dissenting report from the third judge. The registrar of the province of Manitoba continued to refuse to register the patents. The matter was afterwards taken up between the purchasers of the lands and the Minister of Justice, with the result that it was agreed, on behalf of the purchasers, that an additional amount should be paid to the Indians who had surrendered the lands in which they were directly interested, that amount being a dollar per acre. This legislation is for the purpose of validating the surrender which has taken place in the amended form which

is set out in the Bill. I therefore move the second reading of the Bill.

Hon. Hr. WATSON—Do you say the purchasers agreed to a dollar an acre?

Hon. Mr. LOUGHEED—The matter was adjusted between the purchasers and the Department of Justice, or whoever was acting on behalf of the purchasers, and I understand it has been agreed so that a dollar an acre additional shall be paid to those Indians who have sold their lands, and thus be accepted as an adjustment of the difficulty.

Hon. Mr. DAVIS—This is a very large subject, and I must say that taking into consideration the fact that in the House of Commons some 36 hours were occupied in discussing it, the time taken by the leader of the Senate in giving us information on this question has been very limited indeed. It is a very large question.

Hon. Mr. LOUGHEED—You do not want me to take up thirty-six hours here simply because that length of time was spent on it in the other House, do you?

Hon. Mr. DAVIS—I think the hon. gentleman might have taken up sufficient time to give information that would enable us to vote intelligently on this question when the time comes. As the hon. leader of the Government has not seen fit to do that, I shall ask the House to bear with me while I go into particulars. It is said generally that there are two sides to every question, but in this there is only one side, and that is that this legislation should not go through. This St. Peters Reserve question goes back to 1871. Some members of this House doubtless will remember the time that the Red River country or the province of Manitoba was taken over by the Dominion Government. When they went up there they had to deal with several questions in order to settle the affairs of that country, and one of them was the Indian problem. There were people at that time connected with the Hudson Bay Company who had their homes there. They were not white men, but half-breeds or mixed blood, and they had their homes on land scattered along the banks of the Red River between what is known as Fort Garry and Old Fort Garry and down towards Selkirk. These, properly speaking, were not Indians, but they were settled on this land. When the Manitoba Act was passed it provided that any person who was living on land at the time should receive a title to the land that he occupied as a squatter. Then they had to deal with the Indians. These same half-breeds, a lot of them that are now on what we call the St. Peter's Reserve. Indians, were scattered along back from the river, and there were a great many white men scattered over that land, but they were given the right to elect whether they would become citizens of the country or go into the Indian reserve and receive treaty. Many of them went into the reserve as Indians to receive treaty, and what they would get as wards of the Government, but at the same time never relinquished their squatter's right to the land they lived on along the river. There were some 58,000 acres of St. Peter's Reserve taken in as reserve for the St. Peter Indians, but it contained a whole lot of homesteads or lands that had been squatted on by white people and by those Indians who claimed squatters' rights, so that when the dispute came about this property the Government had to deal with it in some way and the consequence was that they had to grant titles to a lot of white men scattered all through this Indian reserve. As a matter of fact, it was pock-marked with those locations all through. Then again, these Indians claimed rights as halfbreeds to certain tracts of land there, and had to be dealt with. One commission after another was appointed to settle this dispute, and the people in that part of the country were getting disgusted because there could be no supervision over the Indians. White men had locations all over the reserve on which they brought liquor, and everything else went on which we know was not very good as far as the conduct of the Indians and looking after them was concerned. It was almost impossible to do anything with the Indians there. One commission after another had been appointed to settle this, and every commission that was appointed recommended that patents for some of this land be given, and a certain amount was patented. That did not settle the difficulty. The department found that something had to be done, the people of the country were dissatisfied, and the Indians and those who called themselves Indians were making no progress.

The people were bringing liquor on the Reserve. The Government had no means of stopping it, because they owned the prop-

erty all in through there, and it was close to Selkirk, as a matter of fact right in to Selkirk, and anybody who knows anything about Indians—and I claim to know something, because I have been up there 37 years—knows that it is not well for Indians to be situated close to a place of that kind, where liquor can be obtained, because you can do nothing with them. The Government came to the conclusion that something should be done. Chief Justice Howell was appointed to go up there and make a report on the manner in which they could settle the half-breed claims, and also try and arrange for a surrender, to move the Indians away and put them on a place where something could be done with them. Those were the facts of the case. Chief Justice Howell went there and made an investigation—spent a lot of time and investigated thoroughly. He met the Indians and came to an arrangement with reference to the surrender, and I want to say to my hon. friend that it was not a case of all crow and no goose, because the Indians were getting a fair deal. The matter has been discussed in the House of Commons, where an attempt has been made to convince the country that the Indians had not been properly dealt with. I have documents here to show how well those Indians were treated. The arrangement made with the Indians provided that, after certain deeds were given out and more property was claimed by squatters in the reserve, they left 48,000 acres. Out of that 48,000 acres, 21,000 acres was claimed by Indians, who claimed it as half-breeds, who had acquired their title before the Manitoba Act came in force. What the Government did was this. They proposed to give those Indians who had proved a claim to it deeds for 21,000 acres. They proposed to sell the balance of the land, and 50 per cent of the proceeds of the sale of that land was to be given to the Indians at once to use as they saw fit, and 50 per cent to be funded as it was paid in, the interest to go for the benefit of the Indians. The Indians were to have a reserve of 75,000 acres on the shores of lake Winnipeg, away from civilization and where there was good fishing, good farm and timber land, and everything they required. The Indians were to be allowed to go there and select the land themselves. The Government agreed to pay for moving the Indians on the new reserve, to put up buildings, and to assist them with agricultural implements and everything in that way. It does not appear to me that the Indian was badly treated, because he traded away nothing at all for 75,000 acres of the new reserve, where new buildings were put up, implements given to him and everything else done for him, and he was perfectly satisfied because he was getting the best end of the deal. The people in the neighbourhood of the reserve were jubilant over the deal. They were going to get rid of the Indian incubus, and there was some future for the place after that. The surrender was arranged and carried out, just the same as every other surrender that has been carried out under the law. It is the practice of the Indians in every case of the kind to take the majority vote of the Indians present in dealing with the surrender of lands. It is the only way you could do it. Indians are scattered all over, and as far as this surrender was concerned, there were only 223 male adults entitled to vote, and 210 voted. If that was not a good full complete meeting, I do not know what would be. They agreed to the terms of the surrender, and I shall read the agreement that was entered into between the Indians and the Government. I think you will agree with me that it was a pretty good bargain from the Indians' standpoint. The agreement reads as follows:

Know all Men by these Presents.

That we, the undersigned Chief and Principal men of the band of Chippewa and Saulteaux and Cree Indians owning and resident on our reserve at St. Peter's, in the province of Manitoba and Dominion of Canada, for and acting on behalf of the whole people of our said band in council assembled, do hereby release, remit, surrender quit claim, and yield up until our Sovereign Lord and King, his heirs, and successor forever, all and singular, that certain parcel or tract of land and premises, situate, lying and being in the county of Selkirk and province of Manitoba, containing by admeasurement 48,000 acres be the same more or less and being composed of the whole of the St. Peter's Indian reserve.

To have and to hold the same unto his said Majesty the King his heirs and successors, forever, in trust to dispose of the same to such person or persons, upon such terms as the Government of Canada may deem most conducive to our welfare and that of our people and upon the further condition that all moneys received from the sale thereof, shall, after deducting the usual proportion, for expenses of management, be paid as follows, namely: one-half of said sum so remaining to be paid to us the year following the receipt of same by the Government after sale of said lands, the balance of said proceeds of sale to be founded for our benefit and the interest paid to us annually. At each payment as aforesaid the sum so paid shall be divided so that the chief shall receive each year the sum of $10 and each councillor the sum of $6 more than that to which the other individual members of the band shall be entitled.

And upon the further conditions that out of the said St. Peter's Reserve now surrendered there shall be granted an area not exceeding 21,000 acres to the members of the band as follows : To the chief 180 acres, to the ex-chief and each councillor 128 acres, and to the other members of the band into the proportion of about 80 acres to each head of a family of ; grants to be made also in similar proportions to widows and to unmarried men and women over 21 years of age. A list of those entitled to grants and the patents thereof, and the area covered by each, as indicated in the above proportions, shall be made by the chief and councillors and a representative of the Department of Indian Affairs. The list shall be signed by the chief and councillors and by the Indian Department representative, and shall be the final settlement of the land to be patented, and of the parties to receive the same. In addition to the said 21,000 acres above mentioned there shall be set aside 3,000 acres of hay land for the members of the band having land in the present reserve or entitled to receive land under this agreement, it being understood that the Department of Indian Affairs may from time to time reduce the quantity of hay land as the patentees sell the land so granted, and any land so taken off the land set aside for haying purposes, shall be disposed of by the department for the benefit of the band.

"A new reserve for this band shall be selected on Lake Winnipeg to the extent of 75,000 acres of available land; but shall not include more than ten miles water frontage.

"The department is to make necessary survey of the lands to be patented, and the land sold as soon as expedient after surrender, and the patents to issue upon application of the individual Indians after the land is selected and properly designated.

"The department shall advance at the time of the surrender the sum of $5,000 to be repaid out of the first moneys received from the sale of the lands.

"The treaty payments not paid shall be continued, and also the yearly rations at treaty time.

"A reasonable supply of agricultural implements and tools for use on the new reserve shall be supplied and distributed at the discretion of the department.

"The department is to render reasonable assistance in removing to the new reserve in summer time in any year within five years of the date of this surrender.

"Reasonable assistance in building on the new reserve shall be rendered by and at the discretion of the department, but any assistance so given is to be once and for all.

"This surrender shall release lands in the present reserve from all claims of the band and of each individual member thereof from all or any claims under the Manitoba Act or the Indian Act, and each member of the band shall sign a release to this effect, when he receives his patent. Provided that such release shall not operate to exclude the band or any member thereof from participation in the proceeds or benefits of any land held or disposed of by the Government under the provisions of this surrender or according to law.

"In the event of the representative of the Indian Department and the representatives of the band failing to agree upon the list of the lands to be patented the matter will be referred to one of the judges of the Eastern Judicial district of Manitoba whose decision shall be final and binding on all parties.

"And we the said chief and principal men of the said band of Chippewa and Saulteaux Indians do on behalf of our people and ourselves hereby ratify and confine and promise to ratify and confirm whatever the said Government may do, or cause to be lawfully done in connection with the said lands and this surrender.

"In witness whereof, we have hereunto set our hands and affixed our seals this 24th day of September in the year of our Lord one thousand nine hundred and seven.

Signed, sealed and delivered in the presence of Frank Pedley, John Semmens, O. J. Grain, Ernest Rayner.

Chief William Prince, [seal.]
Cr. W. D. Harper. [seal.]

Witnesses:
Frank Pedley,
John Semmens,
Ernest Rayner,
O. J. Grain.

W. H. Prince, his [seal.]
John x Prince, mark his [seal.]
John x Williams, mark [seal.]
William Asham, sir. [seal.]

Dominion of Canada
Province of Manitoba,
Eastern Judicial District
of Manitoba.
To Wit:

Personally appeared before me, James Oscar Lewis, of the town of Selkirk, in the province of Manitoba, and William Prince, chief of the said band of Indians.

"And the said James Oscar Lewis for himself saith:

"That the annexed release or surrender was assented to by a majority of the male members of the said band of Indians of the St. Peter's Reserve of the full age of twenty-one years then present.

"That such assent was given at a meeting or council of the said band summoned for that purpose and according to its rules.

"That he was present at such meeting or council and heard such assent given.

"That he was duly authorized to attend such council or meeting by the superintendent general of Indian Affairs.

"That no Indian was present or voted at said council or meeting who was not a member of the band or interested in the land mentioned in the said release or surrender.

"And the said William Prince says :

"That the annexed release or surrender was assented to by him and a majority of the male members of the said band of Indians of the full age of twenty-one years then present.

"That such assent was given at a meeting or council of the said band of Indians summoned for that purpose, according to its rules, and held in the presence of the said James Oscar Lewis.

"That no Indian was present or voted at such council or meeting who was not an habitual resident on the reserve of the said band of Indians or interested in the land mentioned in the said release or surrender.

"That he is a chief of the said band of Indians and entitled to vote at the said meeting or council.

"Sworn before me by the aforesaid deponents James Oscar Lewis and William Prince at the town of Selkirk, in the Eastern Judicial district of Manitoba, this 24th day of September, A.D. 1907.

J. O. Lewis,
Chief William Prince.

D. S. Daly, P.M.

It appears to me that under that document the Indians were pretty well looked after.

Hon. Sir MACKENZIE BOWELL—What is the date of that document?

Hon. Mr. DAVIS—It would be 1908. I have not got it here. It is a matter of record, however. This thing went on. The Government under the law made this deal with the Indians; then they sent up surveyors to provide for the land which they proposed to give to the Indians out of the 21,000 acres. That was all plotted. The balance of the land that was to be sold for their benefit, was all laid out. An auction sale was called, and I want to say that it was called under the provisions of an Order in Council passed in the year 1894-5, before the Government of the day at that time came into power. The same form, the same mode of advertising, was used as had been provided for in this Order in Council. I think it was advertised in six or eight newspapers, including newspapers in Toronto, Winnipeg, and Portage la Prairie, both weekly and daily. This land was advertised according to law. The sale was held in Selkirk according to law, and before the sale was held there was a valuation, the same as was used with the school lands, put upon this by the Indian Department. Mr. McLean, an old and trusted official of the Indian Department, who had been a surveyor in that department for years and years, surveyed the land, and as he surveyed each quarter section he put a valuation on it. That valuation was in the hands of the Department of Indian Affairs when the land was sold, and that valuation was made the upset price. If it brought that or anything above that, well and good, they would sell. If it did not bring that, well and good. The land brought various prices, some of it went as low as three or four dollars, and some up to 10 or 12, but the average price of the whole reserve, taken all together, was something like $5.60 We hear a lot of people talking, who know nothing about it, of this being the garden of the West. I venture to say the hon. gentleman from Portage la Prairie, who knows something about the district in question, knows that a great deal of it is nothing but swamp. As everybody knows, the level of the country where the Red river empties into lake Winnipeg, is low and the land is very poor, and the average $5.60 is a very good price, compared to the price for which lands have been sold in past years. I have here a table showing the prices at which lands have been sold from 1886 to 1909. It is as follows:

Statement showing number of acres of land sold, the price realized, and average purchase price per acre year by year from June 30, 1886, to Nov. 1, 1909.

Year.	Acres sold.	Amount realized.	Average price per acre.
1886-7..	28,805·79	$ 39,347.45	$ 1.37
1887-8..	21,344·52	30,344.58	1.42
1888-9..	15,322·44	22,345.35	1.45
1889-90.	6,731·24	22,951.22	3.41
1890-1..	18,950·78	26,477.43	1.40
1891-2..	22,816·90	45,185.29	2.00
1892-3..	25,692·89	72,215.28	2.81
1893-4..	41,299·19	76,418.57	1.85
1894-5..	32,205·61	72,423.36	2.24
1895-6..	17,758·56	21,051.63	1.18
1896-7..	14,451·10	12,520.52	0.87
1897-8..	14,168·45	27,318.26	1.92
1898-9..	65,831·66	41,971.40	0.64
1899-1900.. ..	52,454·81	51,115.26	0.97
1900-01..	40,720·41	45,134.98	1.11
1901-02..	103,461·08	160,519.92	1.55
1902 3..	109 3 :9·21	279,293.67	2.55
1903-4..	67,965·38	62,942.82	0.91
1904-5..	33,840·33	56,980.96	1.68
1905 6..	35,341·16	365,684.04	10.34
1906-7..	80,353·01	422,086 13	5.25
1907-8..	40,163·33	167,776.88	4.17
1908-9..	64,924·21	462,682.00	7.10

If hon. gentlemen will take the average of land sold in all those years, 1886 to 1908, they will see that the average was not much more than the price realized at Selkirk.

Hon. Mr. SPROULE—Does the hon. gentleman think it fair, without having told the House the different localities where this land was sold, to compare land that was sold all over the country, remote from large cities and towns, with land on the main street of Winnipeg? The St. Peter reserve is right on the main street leading down to Winnipeg, and the difference in the value of land in 1907 and the value of the land sold away back in 1885 and 1890 must be apparent to hon. gentlemen.

Hon. Mr. DAVIS—Indian lands sold two years before this was sold did not bring any better prices, and the land was in just as good a locality, or better. Some of it was marsh land. As you go past Selkirk, at the mouth of the Red river, where it empties into lake Winnipeg, the country is low, swampy and marshy, and the land is not

good. School lands sold out there brought only $5.60 the very same year in that same locality. There was no question ever brought up with reference to this land not being sold at a proper value. If it had been what had the purchasers of this land to do with that? The Government called a sale under the law and sold this land, and gave the purchasers title. Every one of these men that bought the land bought it on a contract from the Dominion Government and received a title, and the titles were registered under the old system in Selkirk under the old registration system. The Torrens had not extended to that place. No kick was made by the Indians or anybody else, until the member from Selkirk, Mr. Bradbury, for political purposes, brought the matter up. Now I am going to take up the political side of the question. Although we do not want to talk politics in this House, I think I can show that it was a political proposition. Mr. Bradbury thought he could get a lot of kudos out of it, and raised his voice in the House of Commons and talked for four hours, complaining that the poor Indian had been robbed. Where does the robbery come in? He held up his hands in holy horror, and raised a row about it, and the department said, " If you are not satisfied, we will investigate it," and they sent Williams, a clerk of the Indian Department, and Mr. Swinburne there, and they spent five weeks on that reserve. They were men competent to deal with the matter and they visited every one of the Indians. There is not an Indian they did not talk to. The report is too long to be placed on the Debates. They found it was a first-class business transaction, and nothing wrong with it, and lo and behold up come these gentlemen who had got their patents from the Dominion Government. They came to Winnipeg to have their patents brought under the Torrens system. Here is a registrar who has no more to do with the Indian Department than the man in the moon, is not responsible to this Government or the Indian Department, and he refuses to register the patents, and why? It came out afterwards. It was at the dictation of the people who employed him, the Roblin Government, who were trying to make political capital, and then the Roblin Government appointed a commission to investigate. Is there any provision in the British North America Act which gives the local Government any power over the Indians, outside of British Columbia, where they have an interest in them? This Government appoints a commission to investigate. Three district court judges investigate and two judges report something is wrong, and the sale, they say, is illegal. The third judge reports everything all right. I have never seen the report. My hon. friend probably has it, but I have waited to see somebody in authority who would declare that the sale was illegal. The Minister of Justice of this country has never come down with the report in which he declared that sale illegal. They have some pleadings which they submitted to the Exchequer Court, which I claim are nothing but a farce. If the Minister of Justice ever made a report that that surrender was illegal, up to the present time I have failed to see it. If the surrender was illegal there is not one surrender of Indian lands for years and years in this country that is not illegal, and if title under that surrender is not legal there is not a title issued to any man in this country under an Indian sale which is legal at the present time. But there is no proof to show that the surrender is illegal. There are lots of assertions. They took it to the Exchequer Court, and I have the pleadings here. You will find by the pleadings there was something said about the officials of the Government, but as far as charging anybody who had bought land, or anything of that kind, there is not a word about it. That leads up to the question of the legality of the surrender. Mr. Swinbourne and Mr. Williams, men employed by the Canadian Government, went into the matter, and made a report, after a thorough investigation, and we have that report.

We have Indian officials, men who had been there for a long time, and everybody in connection with it; and I can read you extracts from resolutions of the Board of Trade. People around there who know say that the surrender was all right, the Indians were perfectly satisfied until my hon. friend tried to make a little political kudos, showing he was a great man for the Indians, and he started all this trouble. My hon. friend the leader of the Opposition has lived long enough in the West to know that you can get Indians to sign a petition declaring that they have not been well dealt with. The same thing would apply to the half-breeds—and those men are not Indians, they are actually half-breeds. It is very easy to make them believe that they have not been well treated, but nobody reading that agreement entered into by the

Government and those Indians will say that those Indians have not been well treated. This matter has drifted along for a period of eight years, and this Government has been in power for five years, yet nothing has been done to settle this question. Those men have been out of their money, and strange to say, this Government has taken their money up to the year 1914 when the last payment was made, and never said to them, "This is illegal, and we cannot receive these payments." They have actually gone on taking their money up to 1914 and given receipts for that money, and the price has been paid in full, and still the Government have done nothing, or even tried to do anything. It hung along and hung along until the people in Selkirk and the surrounding country got desperate and took this thing up. Then my friend, Mr. Bradbury, saw that he had made a huge mistake politically, that his own political friends turned around and in public meetings denounced him for what he had done. They saw nothing wrong in the surrender, or the sale, and that he had tied up this land for eight years, and nothing was done. He immediately got busy to do something. Then the Government to try and get out of this thing, submits it to the Exchequer Court. I have here the pleadings. They are a thing of beauty. I am not going to put them in the Debates, but I want to show my hon. friends, more particularly of the legal fraternity in this House, the number of people who are defendants in this case. There are five pages of the names of people in double columns, 500 or 600 people who are supposed to be called upon by the Government to come and show cause why titles should issue to them for this land, though they had received titles, as a matter of fact, from the Dominion Government. Then these pleadings go on and recite that certain officials of the Dominion Government had done this and done that. A certain man by the name of Pedley, who appears very often in these pleadings, had gone up there and talked to the Indians in a way he should not have talked, and a man named Semmens had said something in a way that he should not have said it, and that somebody else had said something else, and that those officials had misled the Government, and therefore the Dominion Government had issued patents for this land, and therefore that the whole thing should be declared off. I was always under the impression that if this Government employs officials, the Government is responsible for their actions in dealing with the public. It appears to me that that should be the case. If this Government sends a trusted official out to make a deal with anybody in the country, is the Government then going to repudiate the action of that official? In these pleadings they have not in any case said one word in reference to the purchasers of that land; they have never indicated in any manner that the purchasers of that land had done anything that was wrong or corrupt in the purchase. They have said nothing at all about the legality of the sale; they agree and acknowledge that the sale was properly conducted and the people bought the land in a proper way. Then if that be the case, why in the name of goodness don't they go on and treat those people decently and give them this land and not try to blackmail them to the extent of $1 an acre? For that is what it means, a blackmail of $1 to save Mr. Bradbury's face. I want to show the position the people of that part of the country took in regard to this matter. Here is a return that was brought down. Has my hon. friend any objection to adjourning the debate?

Hon. Mr. LOUGHEED—No.

Hon. Mr. DAVIS—Then I move that the debate be adjourned.

The motion was agreed to, and the debate was accordingly adjourned.

CANADA SHIPPING ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 81, An Act to amend the Canada Shipping Act.

He said: This is a very short Bill and deals with two matters, one regarding the period of apprentices serving their time to act as pilots in the pilotage districts of Quebec. The other deals with the certification of qualified engineers in the operation of boats run by gasolene. The present law as to apprentices works a hardship in many cases. It provides that they shall serve seven years before becoming certificated pilots. If during that period of seven years they should fail for a longer period than four months to continuously serve their apprenticeship, then they became disqualified, and no exception could be made. Several cases of hardship have occurred

where sickness, or accident, or other cause has interrupted the continuous service for that particular length of time. This, therefore, is to overcome that difficulty so that a proper discretion may be exercised as to the interruption which took place counting in the service of apprenticeship. I therefore move the second reading of the Bill.

The motion as agreed to and the Bill as read the second time.

The Senate adjourned until Tuesday, May 2, at eight o'clock, p.m.

THE SENATE.

Tuesday, May 2, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

DOMINION GRAIN ELEVATOR AT VANCOUVER.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Were tenders asked for, for the building of the Dominion grain elevator at Vancouver, B.C.?
2. If so, what was the amount of each tender, and the name of the tenderer?
3. When was the contract let, and to whom?
4. Is the elevator completed and ready for use?
5. Has the total cost exceeded the amount of the contract?

Hon. Mr. LOUGHEED—The following are the answers to the hon. gentleman's inquiries:

1. Yes.

2. Barnett-McQueen Co., Ltd. Fort William, $690,000; George A. Fuller Co., Ltd., Montreal, $705,000; Canadian Stewart Co., Ltd., Montreal, $747,000; Geo. H. Archibald and Co. Winnipeg, $749,924; Janse Bros., Boomer, Hughes and Crain, Calgary, $762,495; D. R. McDonald and A. D. McDougall Alexandria, $763,750; Baynes and Horie, Vancouver, $770,000; J. McDiarmid Co., Vancouver, $807,000; Western Foundation Co., Ltd., Toronto, $1,087,600.

3. On December 2, 1914, to the Barnett-McQueen Co., Ltd.

4. The elevator is practically completed, and could be used, but some details are to be finished.

5. No, so far as is known at present. The final estimate has not been received.

Hon. Mr. LOUGHEED.

DESTRUCTION OF PARLIAMENT BUILDING.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. If the Government has received any report, partial or complete, from the commission appointed to investigate the origin and cause of the fire which resulted in the destruction of the Parliament Buildings of Canada, and in the loss of several lives?
2. If so, will the Government bring any such report, not to include the evidence, down to Parliament?

Hon. Mr. LOUGHEED—The following are the answers to the hon. gentleman's inquiries:

1. Not as yet. Commissioners state two witnesses still remain to be examined, which will be done this week and report submitted next week.

2. Yes.

PURCHASE OF HORSES FOR BRITISH GOVERNMENT.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Was any arrangement arrived at between the British Government and the Dominion Government in the year 1914 or since, that the British Government would not purchase horses throughout Canada?
2. When did the British Government commence to buy horses in Canada?
3. Was any objection taken to their doing so? If so, by whom?
4. Has the British Government a representative in Canada at the present time buying horses?

Hon. Mr. LOUGHEED—The following are the answers to the hon. gentleman's inquiries:

1. No, except such arrangements as have been made between Sir Adam Beck, who was acting on behalf of the Canadian Government, and the British Remount Commission.

2. The British Government have purchased horses in Canada at various times and during periods of varying length.

3. There is no information of any objection having been taken to the purchase of horses by the British Government in Canada.

4. Yes.

DAVIDSON INQUIRY COMMISSION.

INQUIRY.

Hon. Mr. BOYER inquired:

1. How many were and are still employed on the Davidson Inquiry Commission?
2. What are their names, and what amount has each and every one received?

Hon. Mr. LOUGHEED—The replies are as follows:

1. (a) There have been employed since the appointment of the commission: The Hon. Sir Charles Davidson, commissioner; Capt. John Thompson, K.C. (124th Overseas Battalion) counsel for the commission; Thomas P. Owens, clerk of the commission. And in a temporary capacity and for varying periods, Geo. Simpson, R. C. Dunbar, M. J. O'Connor, J. B. M. Clark, L. Kearns, I. Boyce, Capt. J. H. McKinley, R. Blyth, D. Borden, E. Harmon, Jos. McGuire. Capt. McKinley served as clerk to Capt. Thompson without remuneration.

1. (b) There are still on the commission, the Hon. Sir Charles Davidson, commissioner, Capt. Thompson, K.C., counsel to the commission (without remuneration) Thos. P. Owens, clerk of the commission (without remuneration), H. E. Parish, secretary to the commissioner.

2. Sir Charles Davidson (answered already in reply to a question by the hon. gentleman); T. P. Owens, shorthand reporting, $1,750; Geo. Simpson, shorthand reporting, $117; R. C. Dunbar, shorthand reporting, $87; M. J. O'Connor, clerical assistance, $373.95; J. B. M. Clark, $567.83 for clerical work; H. E. Parish, clerical work, $419; L. Kearns, clerical work, $90; I. Boyce, clerical work $7.25; R. Blyth, clerical work, $10; E. Harmon, clerical work, $86; J. McGuire, clerical work, $21.50; D. Borden, clerical work, $45.

The Order in Council provides in reference to Mr. Thompson:

"Mr. John Thompson, K.C., desires that it be understood that he is rendering his services as counsel in an honorary capacity, and that his allowance shall be limited to $10 per day for living expenses when engaged upon the business of the commission elsewhere than in Ottawa, and moving expenses from Ottawa to the place or places where he may be so engaged and return."

The Order in Council provides in reference to Mr. Owens:

"Mr. T. P. Owens, clerk and stenographer of the commission, to be paid at ordinary stenographer's rates and travelling expenses while absent from Ottawa, but no per diem allowance either for living or services."

A PROPOSED CONSTITUTIONAL AMENDMENT.

MOTION.

Hon. Mr. CLORAN moved:

That in the opinion of this Honourable House, it is desirable that the British Parliament of the United Kingdom of Great Britain and Ireland be asked to amend the British North America Act so as to provide that when the Senate of Canada rejects a Government Bill or Measure, during two consecutive sessions of the Canadian Parliament, the House of Commons of Canada, at the ensuing session thereafter shall have the power, de plein droit, to pass and adopt such Bill or Measure without further reference to the Senate of Canada.

He said: This resolution is tentative; it is not to be considered in anywise final, either in its discussion, adoption or rejection. I understand that no final or complete solution can be reached or attained in one day, or one session, regarding either the existence or the reform of the Senate. Since Confederation attacks have been made on the Senate regarding its usefulness and regarding its partisanship. These attacks have come from high and low quarters. They have come from the most representative papers or organs of public opinion. They have come from every platform speaker throughout the Dominion on both sides of politics, from the humblest to the lowest exponents of public opinion. Our Prime Ministers, Liberal and Conservative, in their attempt to secure public favour, have denounced the Senate as a useless body or as a blot on democratic legislation. I make but one exception, Sir John Macdonald. At that time he was master of the Senate. He had a majority and had no reason to complain, but every Prime Minister in this country since Sir John Macdonald's time has taken pains in his public utterances, both in the House of Commons and on the public platform, to denounce this hon. body in some way or other. That means that the supporters of both parties have followed the example of their leaders on the platform, in denouncing this hon. body as being useless, superfluous, and a blot on democratic legislation. The denunciations, the criticisms and the attacks have been extended far beyond the platform, the press, and the floor of the House of Commons. In view of that condition of things, which is permanent and universal, what is this hon. House to do? Will the Senate everlastingly oppose itself to the will and the needs of the people? If it attempts such a task it will fail in its accomplishment. It is better for this hon. House to lop off the mouldering branches than allow the anger of the people to put the axe to the root and bring down the tree at one fell swoop. It will not be done in a day, a week, a month or a year. But remember the patience of the people in regard to this institution has its limit, and if this hon. House does not take the remedy into its own hand and apply the cure, then the Prime Minister, the press of the country, the electors of the country will take

action to effect a reform. It is up to this House to take measures to prevent such an ending of this hon. House, because, as a famous statesman said one day in regard to an imperial matter, it must either be mended or ended. The Senate has either to end or to mend. In taking this attitude on the question I no not wish to be associated with those who deplore the existence of a second Chamber in the guidance of national affairs. I do believe, democrat as I am, that the second Chamber has its usefulness, that a second Chamber often, in crises of national history, has its necessity. By that I do not mean that this honourable Chamber is useful or necessary in regard to every Bill and every measure that comes before it for discussion. But in a democratic country there is always a possibility that the popular Assembly,to ensure party success by, or for other similar considerations, will pass hasty unwise legislation. That is something to which all popular assemblies are open. Sometimes the House of Commons passes laws that bear the stamp of partisanship or political expediency. On such occasions a second Chamber becomes absolutely necessary in the interests of the people and of the nation. It is not often that the popular Assembly is called upon to deal with such laws, but suppose the Senate should check one such attempt in a decade, the existence of a second Chamber would be justified. I therefore am not speaking for the abolition of the second Chamber, call it Senate, call it Council, call it what you will. A second Chamber, even if it should reject unwise measures only on one occasion in a generation, could render invaluable service to the people. Wise, far-seeing legislation coming from the popular Assembly can afford to wait for a brief period before it is adopted; but legislation bearing the stamp of partisanship, or hasty, ill-considered measures, cannot brook interference or delay. There comes in the usefulness, the necessity of a second Chamber to supervise, to check that legislation and give the popular Assembly time and an opportunity to ascertain from the country whether its stand on that measure or that Bill has the sanction of the electors. Now, there is nothing undemocratic in that. Where democracy would be battered and placed under the heel of oppression, would be to have that second Chamber permanently used to defeat the will of the people, because the axiom is that the people should and must rule, and that no undemocratic factor should stand in its way in any permanent form. Ultimately the voice of the people must be heard and obeyed. The Senate, as at present constituted and regulated, is a block if not a suppression of the rights of the people. The purpose of the second Chamber is not to block but to check, supervise, and give an opportunity to the popular Chamber for sober second thought. Why, in my own day, in the past 13 years how often have I been a witness to attempts made by hon. members of this House to block all kinds of legislation that was in favour of the common people. Have we not seen hon. senators, who are now departed, blocking all legislation in favour of the labourer and the working man? Have we not seen them advocating all legislation in favour of the financier, the insurance man and the banker? That is the condition of things in this honourable House. I hold that this honourable body should not possess the power to block democratic legislation passed by the House of Commons. And why do I call the attention of the Senate to this condition? I do so—and I know the country is with me in regard to this matter —owing to a statement made by the Prime Minister of the Dominion of Canada, a statement which is the very upheaval of democratic legislation in a free country. The Prime Minister of this country, through the medium of the House of Commons, tells the British Empire that if Canada has no naval force to aid in the prosecution of the war, it is due to the Senate. Now, that is a remarkable statement to be made by the Prime Minister of this country. Is it true or is it not true? I am not going to question the veracity of the Prime Minister. He informed the country that his Government could tender no naval aid to the British Empire because the Senate was determined and had decided to block all legislation towards that end. That remarkable statement caused me to ponder and wonder if this House was worth continuing. If this honourable House is here to block legislation that is necessary for the welfare and the safe-guarding of the Empire, then, hon. gentlemen, you had better vote yourselves out of business. I want by this resolution to give the Prime Minister of the day a chance to redeem the reputation of the Government and show the willingness of the people of Canada to aid the Mother Country, not only in the trenches but on the seas. He said he had not introduced his Naval Service Bill because his confidential agents who had passed

among the members of this House assured him that no matter what Bill he might bring down in regard to the naval service it would be rejected by the Senate. That information given to the Prime Minister was false and malicious. It was owing to the situation developed by the Prime Minister that I gave notice of this resolution. Had I any grounds upon which to base it? I think I had. When Gladstone introduced his Reform Bills in the Imperial Parliament and they passed the House of Commons by a very large majority, and were subsequently rejected by the House of Lords, the same Gladstone, to my mind the noblest figure that ever commanded the admiration and support of a free people, reintroduced his measures the following session, knowing that they would be again rejected by the Tory House of Lords. That happened to him on several occasions. It happened to him in his management of the affairs of the United Kingdom, on the question of the disestablishment of the Irish Church, or I would rather call it the Dutch Church in Ireland. It happened to him in his famous introduction of the Home Rule Bill in 1885-6-7. If the Tory House of Lords had not blocked that Bill 31 years ago, there would have been no Sinn Feins in Ireland, and there would have been no rebellion during the past week. But Gladstone's loyalty to the King, and his patriotism, his love of humanity, were trampled upon by the House of Lords, with the result witnessed last week in Dublin. If Gladstone's Home Rule measure had not been rejected by the House of Lords, Ireland would have been to-day a contented, satisfied and prosperous nation, able to take care of any traitor, or any rebel within its ranks, just the same as when the British Parliament granted home rule to the negroes and the Boers of South Africa. They became the henchmen of Britain, sending their sons to fight the battle of the Empire, after only seven or eight years' experience of home rule. If they had followed the example set to them by Lord Durham in 1837-8-9, when the French-Canadians took up arms against the misrule of the British Government at that time—

Hon. Mr. DANDURAND—And the Englishman as well.

Hon. Mr. CLORAN—Yes, and some of the Irish, and what was the result? The British Parliament bowed to rebellion, they bowed to bullets and rifles, and gave Canadians home rule. But it was different in Ireland's case, all owing to the action of the House of Lords. They prevented Gladstone from giving to the Irish people what the British Government gave to negroes, to savages, and Dutch in South Africa, what they gave to French Canadians in the Dominion of Canada. If hon. gentlemen will take the trouble to look up the debate in regard to the question, in 1911, vols. 24 and 25 of the Debates of the British House of Commons, and vols. 8 and 9 of the Debates of the House of Lords in Great Britain, they will find that the then Prime Minister, and still the Acting Minister of Great Britain and Ireland, found it necessary to challenge the constitution of the House of Lords. He found it necessary to appeal to the people of Ireland to lop off some of the mouldering branches of that institution, found it necessary on behalf of the people whom he represented, and whom he was governing, to cut the undemocratic bands of the House of Lords. If hon. gentlemen read these volumes they will no doubt find much that is interesting in them, and a great deal of information. It is not my intention to give the House a lurid dissertation on the subject or quote documents. It is open to every senator to get these volumes and study the question. After introducing his Home Rule measure in 1909-10, and its rejection twice by the House of Lords, he threatened that, if they did not pass it, he would fill the House of Lords with individuals who would bow to the will of the Government of the day, and the Lords, these high-souled individuals, got behind the curtain and said, "We withdraw our opposition." Then the Prime Minister passed a statute whereby it is declared that when the House of Commons of Great Britain and Ireland passes a Government measure or Bill which is rejected during two consecutive sessions by the House of Lords, on the third occasion the House of Lords shall have no say in the matter, and the Bill or measure shall be passed over their heads. The Lords, wise in their generation, but lamentably late in yielding, accepted it. That is the condition of things in Great Britain, and all I ask by my resolution is to place this hon. Senate on the same basis and on the same footing as the House of Lords, whom we have so often tried to imitate in its dignity and its non-partisanship. All that, to my mind, since I have been in this House has been a farce—a fraud. Do hon. gentlemen think for one moment that by so-called dignity, so-called non-partisanship, you are going to intimidate public opinion and drive it from the field of discussion?

Do you mean to tell me that hon. gentlemen will sit here in so-called dignity, so-called non-partisanship and stifle public opinion, and intimidate the people from expressing their views and demanding that their needs be attended to? You are living in a false paradise if you think so. No dignity, no non-partisanship can count against the will of the people. As I stated a moment ago, how often have we seen senators on the floor struggle forcibly and eloquently against the rights of the people. I have seen it too often. What the people ask is that this Senate should not block democratic legislation more than two years at a time. That is what I ask and what the people ask; and if you do not accept this ruling, some Canadian woodsman will come in and apply the axe to the root and branch and cut the whole tree down at one fell blow. Accept the amendment or accept your abolition. As I stated, this demand for reform and abolition has come from the highest source, from the Prime Minister down, even the Prime Minister of to-day who had in his platform in 1911 when he won the elections in the Dominion of Canada the reform of the Senate. He was backed by his followers in the House of Commons. The hon. late lamented Mr. Lancaster in 1909 had a resolution before the House, and I am sure that hon. senator from Grey will remember the fact, asking not merely for the remodelling or the reforming of the Senate, but for its complete abolition, and if I remember right, in that debate the hon. gentleman who was then member for Grey, and now a senator,—I am glad to see him here—took part. He is a wise man, a careful man, who will back me up in what I say. He was one of those who fought against the contentions and pretensions of the late hon. Mr. Lancaster. He was one, and the hon. Mr. Nesbitt was another. But as a matter of fact every Prime Minister, except Sir John Macdonald, has advocated Senate reform. And why should we not follow the example of these people? If we cannot follow the whole way let us follow afar. I repeat a second Chamber is necessary. In the House of Commons they railroad legislation very often, but when it comes to the Senate it goes by limited express. Now just look. The next three days there will be more legislation coming down here for consideration and adoption that would take any sensible body of men six months to determine; and in the next three days we will get legislation here which will involve this country in hundreds and hundreds of millions of dollars, and it will be passed without a word of criticism. Now what good is this House, for God's sake. We must pass all this legislation without looking into it, without examining more than the cover of the Bill. What use are we? Not much, because that is going to happen within the next three days. The leader of the Government has given us notice that we have to sit twice a day instead of once, and that is all for the purpose of railroading and expressing through this House legislation of enormous importance to the country, and 86 senators will have no opportunity to discuss one provision of those Bills. Now, is not that a grand sight to put up to the people of the Dominion of Canada? Hon. gentlemen, I hold that this resolution is in our interest. Anyhow, we will have the credit of lopping off what I call the mouldering branches, instead of having the Conservative party, or the Liberal party, or the Socialist or the Workman's party, coming into this House and cutting us down. If they see that we are willing to submit to the popular will, there will be no demand from the people to abolish us, or curtail our rights or privileges; but if we stand firm against the popular will, then look out for abolition and destruction.

The SPEAKER—The motion is not seconded.

Hon. Mr. DOMVILLE—I will second it. Every man has the privilege of getting a seconder.

The motion was then put.

Hon. Mr. DOMVILLE—There is some kind of blame on me for seconding this motion. I had always been educated up to the idea that every man has a right to a seconder, even if the seconder does not agree with him. There is a great deal in what my hon. friend has said that is worthy of reflection. We are entering on a new era. We want to forget a great deal of the past. Now my hon. friend is following English precedent. There is a great deal that calls for reflection in this thing. We will see better what is proposed when we get the Senate Debates. If it meets the wishes of the House, I move the adjournment of the debate.

Hon. Mr. POWER—Oh, no, for goodness sake.

Hon. Mr. DOMVILLE—I say, oh yes; you don't run this place entirely, you know. You think you do, but you do not.

Hon. Mr. SPROULE—It seems to me that it would hardly be in keeping with the dignity of this House to let a resolution of that character go or be side-tracked.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. SPROULE—It is so strange and so radical in its nature, and so unnatural, that it at once challenges our attention.

The SPEAKER—I should like to call the attention of the hon. gentleman—

Hon. Mr. DOMVILLE—Who has the floor, he or I?

The SPEAKER—That is what I want to know. If the hon. gentleman moves the adjournment of the debate, I should be allowed to put the motion.

Hon. Mr. DOMVILLE—I move it if anybody will second it.

Hon. Mr. CLORAN—I second it.

Hon. Mr. DOMVILLE—You can not second that; it is seconded by my hon. friend over here (Hon. Mr. Mitchell).

Hon. Sir MACKENZIE BOWELL—Sine die.

Hon. Mr. POWER—Sine die.

Hon. Mr. SPROULE—It seems to me that it is within the rules of this House and quite within the right of any hon. member to speak on this question. No hon. member would be out of order in debating the merits of a subject of this kind; but as the session is believed to be rapidly drawing to a close, and the resolution and speech of the hon. senator who moved it are on record, it would place us in a very anomalous situation if it goes to the public without a reply. I should, therefore, like to offer some reasons why I disagree with the logic, the argument and the conclusions of the hon. senator; but if, in so doing, I should be violating the rules of the House, of course I shall bow to the judgment of His Honour the Speaker.

Hon. Mr. CLORAN—You are in order.

Hon. Mr. MITCHELL—I do not agree with the resolution of the hon. gentleman. We have already applied to England to get the British North America Act amended; our request has been before the Imperial Parliament for over four months and we have had no reply. How long would we have to wait if we forwarded resolutions to the British Government requesting them to amend our whole constitution? We should get a reply to our last application, and know whether they will touch it at all or not. We have asked them to amend the British North America Act.

Hon. Mr. CLORAN—I made it distinctly clear that this discussion was not to be final as to its rejection or adoption.

Hon. Mr. SPROULE—If I am in order, I prefer to go on.

Hon. Mr. CLORAN—You are in order; there is nothing to put you out of order.

Hon. Mr. DAVIS—The hon. gentleman could give reasons why the debate should not be adjourned.

The SPEAKER—As I understand it, the question is this. The hon. gentleman proposed a motion to curtail the power of this House, and the hon. gentleman from Rothesay seconded the motion. I doubt very much if the hon. gentleman has a right to move the adjournment of the debate as he is doing now. If he is in order, then the hon. gentleman should not debate any question except that of the adjournment of the debate. He should not discuss the main motion.

Hon. Mr. DOMVILLE—I have no desire to interfere, but I thought it was a good way to get rid of it, and we can look the whole thing over.

The SPEAKER—I think the hon. gentleman took the worst way to get rid of it.

Hon. Mr. CLORAN—We want no opinions from the Chair.

Hon. Mr. DOMVILLE—I could have moved the previous question, and that would have cut it off at once.

The SPEAKER—There is a rule that says every motion must be seconded. The best way to get rid of it was not to second it.

Hon. Mr. DOMVILLE—I could have got half a dozen seconders.

Hon. Mr. CLORAN—I object to the Speaker giving an opinion.

Hon. Mr. DAVIS—There are two gentlemen on the floor at one time; I think you should rule, Mr. Speaker, who has the floor.

Hon. Mr. DOMVILLE—The hon. Speaker says I have no seconder. He must be mistaken.

The SPEAKER—The hon. gentleman does not understand what I said, or I did not express myself clearly enough. I said that a motion to be put to the House by the Chair must have a seconder. The hon. gentleman proposed a motion; he had no seconder, and the hon. gentleman came to the rescue.

Hon. Mr. CLORAN—Now, I do not think that is fair. The hon. Speaker has no right to say that.

Several hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—That is order.

The SPEAKER—I would ask the hon. gentleman who spoke during half an hour or perhaps an hour, when he was not in order, if he would be good enough to keep quiet now.

Hon. Mr. DANIEL—Would Your Honour allow me to make a suggestion?

The SPEAKER—Yes.

Hon. Mr. DANIEL—If Your Honour would put to the House the last motion that was made and have it decided, we would get through. That is, whether the debate is to be adjourned or not.

Hon. Mr. DOMVILLE—I do not know what the last motion was.

The SPEAKER—The last motion is that this debate be now adjourned, and that motion, made by the hon. gentleman, has been seconded by the Hon. Mr. Mitchell. It is moved by the Hon. Mr. Domville, seconded by the Hon. Mr. Mitchell, that this debate be now adjourned. Is it your pleasure to adopt the motion?

Hon. Mr. DOMVILLE—Sine die. This day week.

Hon. Mr. POWER—This day six months.

Hon. Mr. GORDON—This day week.

Hon. Mr. CLORAN—No, simply carried.

Hon. Mr. DOMVILLE—Would my hon. friend consent to have it sine die?

Hon. Mr. CLORAN—No.

The debate was adjourned until Tuesday next.

THIRD READING.

Bill (C-2), An Act to incorporate The Manitoba-Ontario Railway Company.—Hon. Mr. Talbot.

INVESTMENTS OF LIFE INSURANCE COMPANIES BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (35), An Act respecting the investments of Life Insurance Companies.

(In the Committee.)

On Clause 4:

On or before the thirty-first day of December, one thousand nine hundred and seventeen, every such Canadian company shall invest in, and, on the said thirty-first day of December, shall hold and own, securities of Canada to an amount of not less than fifty per cent of the increase in the net ledger assets of such company during the period of two years ending the thirty-first day of December, one thousand nine hundred and sixteen, after deducting from such increase (a) the amount of increase during the said period in the actuarial reserves held by the company in respect of its policies in force outside of Canada, and (b) the amount of increase during the said period in loans, liens and premium obligations on its policies in force in Canada.

Hon. Mr. BOSTOCK—I understand from this clause that the Bill will only be in effect really for two years.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—Supposing that the war should last longer, is it the intention of the Government to extend the Bill?

Hon. Mr. LOUGHEED—I could not say what the intention is. In all probability it would be extended.

The clause was adopted.

On Clause 5:

After the fifteenth day of February, one thousand nine hundred and sixteen, any deposit of securities in respect of the business of life insurance required or permitted by the Insurance Act, 1910, to be made prior to the first day of January, one thousand nine hundred and eighteen, with the Receiver General or with a Canadian trustee or trustees appointed under and for the purposes of the said Act by any company licensed under the said Act to transact the business of life insurance in Canada other than a Canadian company, shall consist of bonds, or debentures or debenture stock of the Government of Canada.

Hon. Mr. POWER—This strikes me as being rather a sweeping clause. It provides that after the 15th day of February, 1916, any deposit of securities made by a foreign company shall be exclusively in bonds or debenture stock of the Government of Canada. It seems to me going a long distance to say that all securities so deposited shall be Government securities. Clause 4 goes far enough. I do not see why an outside com-

pany should be required to have their whole deposits in these securities while the local company is obliged to have only half.

Hon. Mr. DOMVILLE—I think the Government should consider the reserve fund of these companies. I did not look up the Act to ascertain what securities they could invest in, but almost anybody could obtain a charter for an insurance company by complying with the provisions of the Act, and they become a profit and loss body. The public should be considered, especially in war time when there may be a great drain on them, and the policyholders should be safeguarded by the addition of two or three words to the effect that their reserve shall be a certain amount which, under the 4 per cent reserve provision, would meet the policy if the life tables are correct. That would in the future gradually substitute Government securities for other securities, which may be right or wrong. The directors and officers of the company may disappear in time, but the company is there for the public, the widows and orphans. I do not propose to raise an objection to this measure—

Hon. Mr. LOUGHEED—This is only a war measure.

Hon. Mr. DOMVILLE—Why should they not hold on to their securities? They should regulate the investment. The hon. gentleman may think that this is not an opportune time to raise the question, but the time has come when all corporations should be looked after. Before this lamentable war is over a great deal of money must be produced somewhere. Where is it to come from and who is to pay it? I do not say Canada is not able to pay it, because she has great resources. We do not know to-day that we are taxed, but in Australia and New Zealand their debt is far greater than ours. I do not attach any importance to the solvent position of Canada now; I am simply calling attention to the fact that provision should be made for a proper reserve. In the case of the unfortunate Mutual Reserve Company, which was investigated some years ago, everything went. There is no reason why these companies should not strengthen their reserves with the credit of Canada. I would rather have Canadian securities to-day than imperial bonds, because if we get a mixed loan of French and Russian, and so on, it is going to be a long story to work out. Any bonds issued in this country, I do not care which Government is in power, are good for face value.

Hon. Mr. McSWEENEY—You have to hold 50 per cent of Dominion securities under this Bill.

Hon. Mr. DOMVILLE—It is our duty to put those insurance companies in a good position. Look at their palatial buildings. I was in Montreal yesterday and saw some of them. They are building societies. There might be such a thing as a vast depreciation, and if their reserve is in buildings it might not be worth a great deal. They should not be allowed to make such use of the money which they hold in trust for the widows and orphans.

Hon. Mr. POWER—My doubts have not been removed with respect to the wisdom of this particular clause. Under the preceding clause, one-half of the deposit made by the insurance company must be in bonds, debentures or debenture stock of the Government of Canada. There is no objection to that, but in clause 5 we are told that in the case of a foreign company the whole deposit must be made in bonds, debentures or debenture stock of the Government of Canada. It seems to me that that is a sort of measure of protection that one does not necessarily approve of. One effect of this enactment may be to prevent foreign companies from doing business in Canada. It is desirable, I think, in the interests of the people of Canada that as many foreign insurance companies as possible should do business here. Their presence helps to keep down the rates, and there is another matter: if I were a director in an insurance company in another country than this, looking at the rate at which Canada is becoming involved in debt, I should hesitate a great deal about investing very largely in bonds or debentures or debenture stock of the Government of Canada.

Hon. Sir MACKENZIE BOWELL—Oh, no.

Hon. Mr. POWER—I said if I were a foreigner. I think it may be calculated to discourage these gentlemen who are not as well aware as we are of the wealth of Canada or of the wisdom of its Government.

Hon. Mr. DOMVILLE—I am sorry my hon. friend should make such a remark. The securities of Canada are all right, and the world should know it. We should not doubt our security. As to foreign com-

panies, the Insurance Department should regulate them, and if they come here to do business they must come in on a sound footing, and I think the Government should be congratulated on the line they have taken.

Hon. Mr. DANDURAND—There are very many countries that long ago established the principle that all foreign companies doing business in those lands must invest in the bonds of the country in which they are doing business. My hon. friend spoke a moment ago about the advisability of pressing the insurance companies to invest more and more in Canadian securities. He is doubtless aware of the fact that the insurance companies did not wait for this legislation to do this. They subscribed largely to the last Canadian loan which was offered the public.

Hon. Mr. LOUGHEED—I should like to inform the House that of the $118,000,000 of securities deposited with the Receiver General by the non-Canadian companies, only about $12,000,000 is not of Canadian debentures. That in itself is the highest tribute that can be paid to the securities of Canada, because those companies have voluntarily purchased securities to that extent; but there is no reason whatsoever why the Government of Canada should not insist that a foreign company doing business in Canada and having to make deposit of securities with the Government of Canada in trust for the policyholders, should not make that investment in the securities of Canada. The Canadian Government at the present time has to make a market for its securities. As I say, we are excluded from the English market; we are driven practically to selling our securities in the United States and Canada, and it seems to me that if any policy should be supported by the people of Canada, it is that foreign companies doing business in Canada should make those investments in our own debentures.

Hon. Mr. DANDURAND—I quite understand that insurance companies would be somewhat timid to invest in 3 per cent securities, but surely they would not to-day hesitate to invest in Canadian securities at 5 per cent.

Hon. Mr. DOMVILLE—It is not a question in my mind of speculation; it is an investment really. It is not a speculation, because if you are going to put them down on the basis of a speculative body, good-bye to the insurance company.

Hon. Mr. POWER—I feel better satisfied now, and if the hon. leader of the Government had told us at the beginning what he has stated now with respect to the very small proportion of the deposits in other securities than those of Canada, I should not have said a word at all.

Hon. Sir MACKENZIE BOWELL—It seems to me that this Bill is a measure of protection to the policyholders and the shareholders of insurance companies. Under the existing law, foreign companies have to make a deposit with the Government of a certain amount before they can commence business. If I understand this Bill it goes further, requiring them to invest a portion of their actual bona fide earnings in Canada in Government securities. I think that is admirable protection, particularly for the policyholders and shareholders. At present there is over a million dollars earned in Canada every year, profits upon which go to the United States or other places for investments by the foreign companies, and if you can compel them, as I understand this law does, to invest a portion of those profits in Canadian Government securities, it is an admirable measure for the benefit of the country that has to raise the enormous amount of money we need at present. From what little experience I have had in life insurance companies, I am quite sure that any one who has been behind the counter for any length of time will come to the conclusion that it is safer for the policyholder and also for the shareholders if the company invests its profits in 5 per cent debentures of the Dominion, rather than in stocks of different kinds and different varieties which are subject to fluctuation and the ups and downs of the market. There are companies, as has been pointed out by my hon. friend from Rothesay (Hon. Mr. Domville), whose managers are inclined to be speculative, and do not confine themselves in making investments of the surplus funds of the company to proper and legitimate investments. The result is that they invest in certain stocks, and the first thing you know the companies have lost. I have known cases where stocks have gone up and down again. The result is that the directors in companies which make improper investments are liable for every dollar lost to the shareholders and policyholders. Provisions of this kind tend, in a great measure, not only to solidify the investments of these companies, but to create a safe investment for

those who are looking to the future for something to support their families after they are gone.

The clause was adopted.

On Clause 6:

The Minister of Finance shall have power to cancel the license of any company failing to comply with any of the provisions of this Act.

Hon. Mr. BOYER—Supposing an insurance company has $20,000,000 life insurance in Canada, on which is deposited, say, ten millions of securities. If that company should fail to comply with any of the provisions of this new law and the license is cancelled, in what position would the policyholders be? The company having ceased to do business in Canada, how could the policyholder recover?

Hon. Mr. LOUGHEED—The Insurance Act provides for the winding up of the company. It would never be enforced at the expense of the policyholder.

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

TABER IRRIGATION DISTRICT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 84, An Act to authorize certain School and Dominion Lands to be included in the Taber Irrigation District in the province of Alberta.

(In the Committee.)

Hon. Mr. DAVIS—I have read the Bill very carefully, but I do not grasp its meaning altogether. Probably my hon. friend could give me some explanation. I understand there are certain irrigation works in Alberta and they are declared an irrigation district by the local Government.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—And in that district are certain Dominion lands, school and other lands. What does my hon. friend propose to do with this Bill with regard to the Dominion lands and school lands? How does he propose to deal with them?

Hon. Mr. LOUGHEED—There are within the district certain school lands administered by the Dominion Government in trust for the province. This Bill is introduced at the request of the Provincial Government, to allow the school lands to be bonded in a similar manner to the patented lands, with this distinction, that the Canadian Pacific railway have agreed to accept the bonds which are a first lien upon the patented lands. That is to say, the whole of the lands will be bonded, and the Canadian Pacific railway that is furnishing the water will accept the bond, but will permit the Government to retain its lien for the unpaid purchase money upon the lands which they sold. If this were not agreed to, those bonds would not cover the school lands. The rights of the Crown are preserved by their having the first lien for the unpaid purchase money, and the people of the district are enabled to bond the whole of the land within the irrigation district, and the Canadian Pacific railway are willing to take the bonds subject to the lien of the Crown.

Hon. Mr. DAVIS—I understand it now.

Hon. Mr. BOSTOCK—Will those lands referred to in the Bill be subject to the rates if the water is not placed upon them?

Hon. Mr. LOUGHEED—The legislation presupposes that the water will be placed upon them, otherwise they would not enter the irrigation district.

Hon. Mr. DAVIS—No use bonding them if they do not.

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

PRISONS AND REFORMATORIES ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (86) An Act to amend the Prisons and Reformatories Act.

(In the Committee.)

On Clause 1:

Hon. Mr. DAVID—The other day I asked the hon. leader whether clause 1 of the Bill applied only to Ontario, while clause 4, if I understand correctly, applies to all the provinces.

Hon. Mr. LOUGHEED—I understand it applies automatically to all the provinces; that is to say when any province comes within the provisions of the Bill. When any province establishes an industrial farm, the Act will come into operation and apply to that particular province. I certainly did not intend to say that the first clause was applicable to Ontario alone. I do not think I said that. Section 20 of the Prisons

and Reformatories Act, is a general section and in no way applies to Ontario alone, but to all the provinces.

Hon. Mr. DAVID—Take subsections 2 and 3 and you will see that everywhere the province of Ontario alone is mentioned, and it refers to the Lieutenant Governor of Ontario and so on. I understand the hon. leader to say that it can apply to the other provinces.

Hon. Mr. LOUGHEED—The first clause proposes that sections 17 to 20 of the Act shall apply to industrial farms; that is to say, they will apply to industrial farms in any part of Canada—to all the provinces of Canada.

Hon. Mr. BOSTOCK—Perhaps if my hon. friend had the Revised Statutes he would understand it better. I was under the same impression as the hon. member when I first read the Bill, but the Revised Statutes are divided into two or three different parts. In the Revised Statutes, chap. 148, part 1, deals with questions affecting the provinces generally. Sections 17 to 20, which are referred to in the first clause of this Bill, come under the general head, and as I understand they apply to every province. Then part 2 of the Act deals with the rest, from 42 to 77 of the Act in the Revised Statutes. That does not deal with any other part of the Dominion: it all refers to Ontario; so that clauses 3 and 4 of the Bill apply solely to Ontario as I understand the situation.

Hon. Mr. LOUGHEED—Yes, I would point out to my hon. friend that Ontario has established certain penal institutions. They are enumerated in clause 2 of the Bill, and it is proposed that this legislation should be passed on account of the peculiar position that has arisen through the establishment and administration by the province of Ontario of those institutions, such for instance as the Ontario Reformatory and Industrial Farm which has been established by that province. They have also appointed, or are about to appoint a Board of Parole; so that Ontario has been more progressive in carrying out reforms along those lines than any other province in Canada, and therefore it is desirable that we should meet the new conditions which have arisen in the province of Ontario. It is needless to do that if the other provinces of Canada do not embark upon like reforms of a progressive nature. The Government would be only too glad to extend the same legislation to those provinces, but it is unnecessary to do so in anticipation of that being done, and furthermore the reforms that might be adopted in the other provinces might possibly be along different lines to which this legislation would not apply.

The clause was adopted.

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

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (87), An Act to amend the Railway Act." He said: This Bill proposes to repeal section 157 of the present Railway Act. The legislation is similar to that which was embodied in the draft Consolidated Railway Act which came before the Senate two sessions ago. The object of it is to avoid, if possible, the duplication of railways and the unnecessary building of railways; to place within the authority of the Railway Commission the power to investigate and determine the necessity of constructing any railway, and particularly to review the legislation which may have been passed by Parliament touching projected railways. As hon. gentlemen know, it is necessary to submit the location of a road to the Minister of Railways. That in turn goes to the Railway Board. We therefore have two bodies pronouncing upon the same question. It is almost unnecessary to say that it is impossible for the Minister of Railways to give as close attention as the Railway Board of Canada to such matters. It seems to me to be very desirable legislation, particularly in view of the enormous liabilities which have been created, not only by the Government of Canada but by certain railways in Canada, owing to the construction of roads which I think may be safely said to be entirely unnecessary. The public in the long run has to pay for unnecessary railway building. The Government of Canada, which of course represents the people of Canada, have to pay for this particular indulgence. I therefore think it is in the public interest that this measure should pass. It has been suggested by some hon. gentlemen—at least I think it was suggested when the Bill came up for third reading—that this Bill should be referred to the Railway Committee so as to assure a free discussion of the subject. Of course I am entirely in the hands of the House as to how they desire to consider this Bill. The Government desires that the best con-

sideration possible should be given to it, and if it is the wish of the House that it should be dealt with in that way, no objection could be raised.

Hon. Mr. BOSTOCK—I consider that this is one of the most important measures that we have had before the House this session. After considering the matter, it appears to me that in dealing with the question in this way we are delegating to the Board of Railway Commissioners powers which I think should not be handed over by this Parliament. I think we are all agreed as to the most valuable work that the Board of Railway Commissioners are doing in this country. It is not with a desire to cast any reflection on that board that I take exception to this class of legislation. The work done by the Railway Commissioners in Canada has been most excellent work for the country, producing excellent results in every way; but this Bill asks us to pass legislation and then allow the Board of Railway Commissioners to say whether that legislation should go into effect or not. I quite admit that in the past charters were granted that should not have been granted, and that we had not, in dealing with railway charters in this country, got sufficient information as to the question of the location of roads and how they might affect the interests of the country; but I think the method proposed here of dealing with this question is not the most suitable one in the interests of Parliament and of the country. Getting further information about the location of a road before it is actually decided on would be in the interest of Parliament. On that I think we are all agreed. I hope that my hon. friend will carry out what he stated a few minutes ago and refer this Bill to the Committee on Railways, Telegraphs and Harbours, so that we may have an opportunity of thoroughly discussing it. If it is desirable in the interests of the country to deal with this question, I would suggest that when a Railway Bill is before this House and is sent to the committee, special instructions should be given to the committee that they should inquire of the Board of Railway Commissioners whether they have had any reference made to them as to the location of this road, and ask them to inquire into the whole matter and report to the committee the advisability or not of the road being located in the way that the promoters of the Bill deal with it. If that were done the Committee of the Senate dealing with the matter would have before them very valuable information, and could then decide whether or not they considered that the promoters of the Bill had made out a case in the interests of the country. In that way you would retain to Parliament and to the Senate the power of saying whether they thought that that charter should be granted or not. But carrying out legislation as proposed in this Bill is an objectionable way of dealing with the question.

Hon. Mr. SPROULE—As this is the stage at which we are supposed to discuss the principle of the Bill, the second reading, it seems to me appropriate that any remarks I intend to make should be made now. The principle of this Bill is whether the Railway Commission or Parliament should be supreme. When Parliament incorporates a company, the Act of Incorporation designates the general location of the line. Parliament gives that company power to build a railway. Now it seems to me that Parliament ought to be always the supreme power in the land; but, after Parliament has passed the Act, this Bill contemplates submitting the question to a subordinate body as to whether that corporation may or may not have the right to do what Parliament authorized it to do.

Hon. Mr. DAVID—And give a final judgment.

Hon. Mr. SPROULE—Give a final judgment.

Hon. Mr. CASGRAIN—No, there is an appeal.

Hon. Mr. SPROULE—This Bill was the creature of circumstances. It was the outcome of a dispute between the Canadian Northern Railway and the Hydro-Electric Commission in Ontario with regard to two Bills held by the Canadian Northern Railway. According to those Bills the company had power to build a railway to Toronto through by Hamilton and Niagara Falls. The limit of time during which they might commence was about expiring, and they desired to have an extension of time. They had applied many times in succession for extension of time and got it, and it seemed, in the judgment of many, to be only a device, which has been kept up from year to year, to prevent others from taking advantage of the locality and the opportunity of building a road in connection with the Hydro-Electric Commission. In other

words, it shut them out as long as this charter was held over. The contention became so vigorous that neither side would give way, and the question was, what can be done to reconcile them and have them come to terms? It was proposed by those advocating the right of the Hydro Electric Commission that if power was given to the Railway Commission to say whether or not the railway should be built, they would agree to that and allow the Bill to pass; but it was only on the distinct understanding that the Railway Act should be amended to put that power in the hands of the commission. It seems to me that a better device ought to have been found to overcome that difficulty than the one that we are dealing with at the present time.

Hon. Mr. DAVID—Hear, hear.

Hon. Mr. SPROULE—I do not think that Parliament should abandon its supreme right and its supreme power, and for that reason my judgment is that we would not be doing the right thing to amend the Railway Act as proposed.

Hon. Mr. DAVIS—I must say that I am surprised at the Government bringing down legislation of this kind. This House on several occasions passed a Bill which, if the Government had seen fit to adopt it, would have avoided a good deal of this trouble. That Bill was passed by this House five years ago, and sent over to the Commons on two different occasions. It was introduced by myself. Now I see that this Government is making selections of a good portion of that Bill in the amendments to the Railway Act that they have brought down. But this Bill is not the proposition that was contained in my Bill, though verging on it. The Bill I submitted to the House gave certain power to the Railway Commission, but those powers were stated explicitly inside that Bill, the intention being that any body of men who wished to build a railroad in this country should do certain things that were laid down in that Bill; they were to put up a certain amount of money, and furnish a certain guarantee with reference to damage to property, they should go over the land where they proposed to build their road and make a report on the project to the committee later on, as to what other railroads were there, the populations in the towns the road would pass through, the character of the country, the gradients, the bridges, and all the information they could gather in reference to the road. Then, when they had accumulated all that, and after proper advertisement that they were going to apply to the Railway Commission for a certificate, they could bring the matter before the Railway Commission, and the commission in that case had to say whether the requirements of the Act passed by Parliament had been carried out, and if so would grant them a certificate. Then they would go to the Secretary of State, pay the money and get letters patent, and then they would start to do their work. If the Railway Commission found that they had not carried out the requirements of the Act, the certificate was refused and therefore those men could not get incorporation. That was a simple way, and it would have avoided a lot of difficulties if that Bill had passed through the House; but this measure to-day is an entirely different proposition. The first portion of it deals with the matter of location according to the powers given the minister by the Act; but we must remember the Minister of Railways is a member of the House of Commons and is directly responsible to the House. Now you propose to give it to a commission outside who, though to a certain extent responsible to the House, are not responsible in the same way as the minister. Under the old Railway Act you only gave the minister certain power with reference to location, but under the last two clauses in this Bill we find that after Parliament very gravely passes a measure, through all its stages in both Houses, and it is assented to by the Government as representative of the Sovereign, power is given to a body that goes to work in another place to change the whole thing. For instance, after we pass an Act to charter another road between here and Montreal, which Parliament has the right to do, the commission would have power to cancel that, or to say that Parliament has no right to pass such legislation, and declares it null and void. It seems to me that is a pretty serious proposition. If this House had put through a Bill such as that proposed by me, it would have delegated certain powers to the Railway Commission that would be stated within the four corners of that Act, and not outside the four corners, and they would have no power to cancel anything enacted by Parliament. My Bill preserved the dignity of Parliament by simply saying: "We are too busy to attend to this matter of dealing with charters, and it is

not necessary to come before the House except under this model Bill." There was some sense in that; but to give powers to another body outside of Parliament entirely is more than a joke, it is a serious proposition. One hon. gentleman who has been speaking to-night has given his opinion that the Railway Commission has done wonderful things in this country and deserved great credit for what they have done. I cannot agree with the hon. gentleman that the wisdom of this whole country is contained in the heads of the gentlemen who compose that Railway Commission, and that they are wiser than the two branches of Parliament put together. If those gentlemen were men of technical knowledge who knew a great deal more about railroads than we do, we might perhaps take that view; but I want to know what any one of the gentlemen sitting on that Railway Commission, perhaps with one exception, knows about building railroads. They do not know an angle-bar from a crow-bar. They are druggists, boot and shoemakers; good, honest business men of you like, but we do not employ a shoemaker to build a house, we get a carpenter for such work. If you want any one to deal with railway legislation you do not take a druggist or a man who does not know anything about it. Both parties that have been in power for the last 20 years are responsible; they have put on that Board men lacking the knowledge to fit them for the position. They went there I suppose simply because the Government desired to make room for them; and now the Government asks us to hand over the whole control of the railway legislation of this country to a body like that. I for one object, and strongly object. If we are going to do anything of the kind let us pass the Bill that I submitted to this House. The work of the Railway Commission is laid down in the Bill that I put through this House. They have only to carry that out, but if this present Bill should go through, the Commission could use their own judgmen as to whether there will be another chartered or not. I submit that this House is quite as competent to decide that when the matter comes up as the Railway Commission is. I think the hon. leader of the Government said that the board would review our legislation. It appears to me that that is pretty strong—to have the Railway Commission sitting over here reviewing the legislation of Parliament. I take the reverse view. I say that if those gentlemen want to make a report we will review the report, and if we find it is right we will adopt it, but if not we will reject it; but surely we are not to be asked to hand over to the Railway Commission the power to review the legislation of this House and to disallow the legislation of this House—for that is what it means, pure and simple, and I am satisfied that this House will not pass a Bill of that kind. For my part I feel like giving it the six months' hoist if I can do it.

Hon. Sir MACKENZIE BOWELL—To what extent is power given under this Bill to the Railway Commission that is not now vested in the Minister of Railways?

Hon. Mr. DAVIS—The power given under clauses 7 and 8 are not given under the sections of the Railway Act.

Hon. Sir MACKENZIE BOWELL—The same power that is given to the Board of Commissioners is now vested in the Minister of Railways, the only difference being that the Minister of Railways is a member of the Government.

Hon. Mr. DAVIS: He is one of us; he is one of the Government.

Hon. Sir MACKENZIE BOWELL—He may be one of us just now, but not one of you, that is the only difference. However, that is apart from the point I raise. I took the same view strongly that my hon. friend did at first, because it was represented to me that it was placing power in the board that really and properly belonged to and was vested in Parliament; but I find on reading clause 127 of the Consolidated Railway Act that the same power that it is now proposed to vest in the Railway Board is vested in the Minister of Railways. If he should disapprove, as the board might disapprove, of course, he would be responsible to his colleagues and to Parliament; but it does not take power from Parliament to deal with the question at any time, no matter what they may do.

Hon. Mr. CASGRAIN—I think there is very little discussion of a matter of this importance to the House. It changes the whole principle of railway legislation that we have had here. I remember having introduced railway Bills in this House, even before the hon. member for Prince Albert proposed his measure, providing for some investigation before a charter would be

granted, requiring that a plan should be prepared, as proposed here, showing the grade—almost this same phraseology. I must say I was helped by the Law Clerk of this House in preparing a good Bill. I remember very well that it was stated that the Bill would provide work for surveyors who were out of work, for they would have a few plans to make, so I let a few sessions pass before bringing forward the legislation. The Law Clerk informs me that, unfortunately, all the copies of those Bills that he kept were destroyed in the fire. However, it does seem to me that this Bill would be in the right direction if it were just turned around, if the cart were not before the horse, and if it were so devised that all this would be done before the charter was granted. I would say that this Bill has a retroactive effect, affecting charters that we have granted, as well as lines that have not been started. We have granted charters that have been in existence for two years, and if the parties who hold them wanted to build they would have to go to the Railway Board, and the board would say that, according to clause 5, subsection 5, it would refuse the approval of the whole thing absolutely, therefore those charters that usually run two years are virtually null and void. Now I should like to know what chance any of the persons who are promoting those railways would have of raising money to build a railway when they are met with this statement. "True, you have a charter, but we have no guarantee that the Railway Board will let you build at all." How can you raise money under such circumstances? Then, according to this Bill, before applying to the Railway Board they have to go to considerable expense. They must show the Board a plan on a scale of six miles to the inch, showing all the railways to be crossed, the proposed bridges, the important towns they are going to touch, any canals that would have to be crossed and bridged over; and they have to go to all this expense without any guarantee that their project will be approved. In the legislation which I brought into this House during those two years I proposed that before coming to get a charter promoters could apply to the Railway Board. That board, after looking over the proposed road, would simply say, "Well, we do not see that there is any necessity for a new railroad, for instance, between Ottawa and Montreal; we have now three railways—the Canadian Pacific railway, Grand Trunk and Canadian Northern railroad—and no more is needed." Not very long ago another railway, I think called the Central Canada, applied for a charter, and we granted charters several times. The Railway Board would simply say, "No, we don't think we want to certify your application or your petition to Parliament." In that way the Railway Board would not be over-riding Parliament; but if we enact this measure it would be absolutely useless in future for Parliament to pass Bills. Of course, this Bill contains many things that were in the Bill presented by the member for Prince Albert. His Bill was somewhat similar to that of the state of New York, where any number of men, or even one man, can build a railway; it is only necessary to file plans in the Registry Offices of the various counties through which the railway is to run; the state engineer approves of them and the railroad is built. Many states in the American Union manage this matter in the same way; railways are built simply on an order from the engineer of the state as a business proposition, and if anybody wants to parallel another railway, if the state engineer thinks there is sufficient business to warrant it, the railways are built there with the money of the promoters. In this country the curse of railway building has been that impecunious people undertake to build railways, then after they have started, though spending no money themselves, they get provincial subsidies, Dominion subsidies, land subsidies, guarantees and so on, and then they build some of the railroad, and unload bonds on some poor innocent people on the other side of the water. I know personally that many of those bonds exist to-day for which people have never got a five-cent piece in 20 years, many of them holding large amounts, and as a rule there will be more of that kind of thing. Interest on those bonds is paid for a few years out of the Government subsidy, and then those promoters come to the country and say, "We cannot pay any longer, the Government must buy the railroad." There seems to be an awful fright in this country about railways going into the hands of receivers. Across the line there is an excellent system of railways, with a mileage equal, I venture to say, to that of all other countries, yet they are not afraid to put a railroad in the hands of a receiver, wipe it all out and start afresh. Take our Grand Trunk Railway; what did the original shareholders of it ever get? We seem to be very careful now

that nobody shall lose money in railways, but did the original shareholders of the Grand Trunk ever get a dividend in 25, 30 or 40 years? No, not even the second preferred ones. Sometimes you see in the papers that the third preferred have got a dividend; the second and first preferred have been wiped out. I do not believe that we should be so frightened of letting a railway go into the hands of a receiver. This Bill must be, as the hon. member for Grey says, special legislation; the Government could never have taken a plunge like this except they had some interest to conciliate. How this legislation has gone through the House of Commons with very little discussion is something beyond my comprehension, but I suppose it is because they have so many other things on their minds there. It has been suggested to me to move that this Bill be referred to the committee, but that cannot be done until it gets its second reading, unless the House would consent to let it go, as we have done sometimes, and without committing ourselves to the principle of the Bill. I must say that in moving, if I do move after the second reading, that this Bill be sent to the Railway Committee, the great railways have not manifested any desire to be heard, so that I do not know that they will be represented. If the secretary of the committee were instructed to inform them when it would be taken up, it might be a good thing for the Government, because they would be able to say later on, if they were ever approached by the railways in regard to this legislation, that they had given the railways ample notice, the matter had been advertised, and the railways had not complained, and had not put in an appearance; and that therefore the Government assumed they were satisfied. If they were satisfied I do not see why anybody else should be dissatisfied. Of course the Government is taking the responsibility.

Hon. Mr. DAVIS—The hon. member from Hastings seems to have got it into his head that the powers granted under the Bill were all provided in the section we are repealing in this Bill. Clause 8 of the Bill refers to construction, which means that if we had passed an Act in Parliament to lay out a road to be built any particular place, and the board said: "No, Parliament gave you the charter, but we will not let you build the road." Would not that be interfering with the functions of Parliament? By this Bill we are delegating our powers to the Railway Board. My hon. friend does not seem to be convinced.

Hon. Mr. LOUGHEED—It seems to me there is a good deal of misapprehension as to the scope of this Bill. The law at the present time, under section 157 of the Railway Act, provides that the plan of location shall be approved by the Minister of Railways. It must be obvious to any hon. gentleman that if the Minister of Railways takes into consideration the fact that the building of a road is indefensible, that it will result in a duplication of road, or involve an unnecessary expenditure of money, either public or private capital, and he withholds his consent, the road cannot proceed, so that he exercises practically the same power as it is proposed now to give the Railway Commission. It is furthermore said that we propose abdicating our functions and handing them over to the Railway Board. That is not the case. I cannot just recall an illustration at the present moment, but if Parliament, in dealing with an important piece of legislation involving the expenditure of a large amount of money should refer that particular legislation to the Railway Board or to some tribunal peculiarly qualified to pronounce upon it, a tribunal that could investigate all the factors that enter into it, and pronounce upon the question as to whether it is advisable for the Government of Canada, or for private capital to enter upon an undertaking of that character, would that be unreasonable? Hon. gentleman may dilate at very great length upon the freedom of Parliament being fettered and all that kind of thing, but every hon. gentleman in this House knows that Parliament every session runs riot in the granting of railway charters. We placed upon the statute book I suppose, upon an average of fifty charters each session, without any investigation, without any knowledge whatever as to the desirability of the construction of those railroads, as to the unfortunate public, whether in Canada or abroad, that will suffer from the investments which they make in those railroads upon the representations made, nay the misrepresentations of the promoters of those railroads.

Hon. Mr. CASGRAIN: Hear, hear.

Hon. Mr. LOUGHEED—We are to-day carrying a load of debt that threatens to overwhelm Canada, a perfect avalanche of debt that will be a burden, not only upon

this generation, but upon generations to come, on account of our having constructed railways that are absolutely unnecessary. One of the leading bankers in New York said to me over a year ago that the great difficulty in Canada to-day is its duplication of great trunk lines. He said the most advisable step that the Government of Canada could take to-day would be to pull up the rails of one of its transcontinental systems, and forget all about the fact that it ever was built, or that the Government of Canada had eventually to pay for it. Now is Parliament the proper tribunal to consider whether those fifty railroads to which we grant charters annually should be built? Do we ever sit down around the table of the Railway Committee, and thoroughly investigate and analyse all the factors that enter into the consideration of those roads? The solicitor will appear before us and glibly, with a long pointer, sketch upon a very brilliantly coloured map the railroad which is to be built. He will point out to us that the public are clamouring for the building of that railroad. True there is no population. Nothing is known of the country. It is running through a terra incognita. But yet at the same time he knows it will be one of the most successful undertakings the people of Canada ever entered upon.

Hon. Mr. CASGRAIN—And all the money is ready.

Hon. Mr. LOUGHEED—And hon. gentleman talk about abandoning those functions which we exercise so intelligently to a tribunal which we have called into existence for pronouncing upon such questions.

Hon. Mr. DAVIS—Why did not the hon. gentleman accept the Bill I introduced. ıe most sensible Bill ever brought before this House?

Hon. Mr. LOUGHEED—I was not opposing it, and we are approximating the Bill. I have no doubt the next step we take will be to adopt the hon. gentleman's Bill. Let us further examine the question as to whether we are abandoning the supremacy of Parliament in enacting this legislation. The hon. gentleman from Grey says we are. I contend that we are not. I contend that if the Railway Board should make an arbitrary finding, and a finding which cannot be supported, Parliament can always overrule the finding of the Railway Board.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. CASGRAIN—The Cabinet can do it.

Hon. Mr. LOUGHEED—The Parliament of Canada is the supreme court of appeal from all tribunals in Canada. We can over-rule the findings of the Railway Board, and overrule the finding of the Supreme Court of Canada or of any court in Canada, but in addition to that an appeal lies to the Governor in Council from the Railway Board. If hon. gentlemen will examine section 56 of the Railway Act they will find most abundant facility is given to those who consider themselves in any way disappointed even,—they go as far as that,—with the finding of the Railway Board. They may in that case appeal to the Governor in Council. And then there is another class of appeal that lies to the Supreme Court of Canada, so that abundant provision is found already in our statute to redress any wrong that may be suffered from any finding of the Railway Board. The Parliament of Canada has called into existence a Railway Board, a tribunal vested with the authority which it now exercises, with such eminent satisfaction to the people of Canada, that I venture to say no legislation has ever been more justified than the legislation which the late Government placed upon the statute-book creating that tribunal.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. LOUGHEED—It has been satisfactory to the railways and the people of Canada and we are only adopting a principle already in the Act and which I am satisfied will result in a most favourable solution of all those questions that may arise from time to time.

Hon. Mr. DANDURAND—I want to state that after examining this Act I thoroughly approve of it. As the hon. gentleman who leads this House has said, we pass all kinds of Railway Bills without examining into the route that any railway is to cover. We hardly ask for a map that would give us an idea of the topography of the country through which the line is to be built, and when it comes to a large company which has set its heart upon obtaining certain exorbitant privileges, I must confess that I have seen the two branches of Parliament break down in the most humiliating way and allow legislation which was, to my mind, in some instances, scandalous to pass. I may refer to one piece of legislation which may be checked by this amendment to the Railway Act. The Canadian Northern Railway obtained the right to tunnel under Mount Royal at Montreal and

make its principal station in the very heart of the city, about two or three acres east of Windsor station and the Grand Trunk Railway station. It was a splendid bit of engineering, which was admired by all. The Canadian Northern was succeeding in reaching the heart of the city at a minimum cost, but when it came to obtaining those powers from Parliament it was not satisfied with stopping at the heart of the city, at the foot of the last hill sloping from the mountain. It asked to be empowered to put a viaduct across the city from that station to the wharves of Montreal in the St. Lawrence, in spite of the fact that it reached the St. Lawrence east of the mountain, through its road coming to Moreau St. in Hochelaga ward, the extreme east of the city. The Bill passed the Commons and the Senate in spite of the vehement protestation of the representatives of Montreal in both Houses. The Canadian Northern did not stop at that. It arranged to obtain that power without having to stand the judgment or the criticism of the Railway Board. It got that as well. Now here, under this Bill, the city of Montreal may have a chance to protect itself against such a gross violation of its right to control its streets and the appearance of the city and obtain from the Board of Railway Commissioners an order that instead of passing roughshod through the houses in the thickly settled part of Montreal, it must content itself with reaching the wharves as it does now, by those eastern lines.

Hon. Mr. DAVID—Was not that case submitted to the Minister of Railways?

Hon. Mr. DANDURAND—It has not yet reached that point. The Minister of Railways may have a certain diffidence about refusing them the right to pass through the city from one point to another, may have diffidence in denying Parliament the right to allow that crossing to be made in the heart of the city of Montreal. My impression is that the Minister of Railways would be able to refuse the plan submitted.

Hon. Mr. LOUGHEED—But we have defined the location of the viaduct, have we not?

Hon. Mr. DANDURAND—I think we did define it.

Hon. Mr. LOUGHEED—That is taking it out of the hands of the minister.

Hon. Mr. DANDURAND—But I believe under this Act the Railway Board would be enabled to say, "You shall not pass there; you shall not exercise the right Parliament give you, but you shall utilize your eastern connection with the wharves of Montreal," and as the hon. leader of the House said, we are not even advocating our right to control the decision of the Railway Board, because if the matter were of sufficient importance for a direct appeal to Parliament at a following session, that company could ask by a Bill that notwithstanding such a clause in the Railway Act, it be allowed to proceed on certain lines.

Hon. Mr. DAVIS—If the hon. leader is going to permit the Bill to go to the Railway Committee, we might take the second reading now.

Hon. Mr. CASGRAIN—With the understanding that we do not commit ourselves to the principle of the Bill.

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

Hon. Mr. LOUGHEED—I move that the Bill be referred to a Committee of the Whole House.

Hon. Mr. CASGRAIN—I move in amendment that the Bill be referred to the Committe on Railways, Telegraphs and Harbours.

Hon. Mr. LOUGHEED—I accept the amendment.

The motion, as amended, was agreed to

BILL INTRODUCED.

Bill (M-2), An Act for the relief of Martha Isabella Kenny.—Hon. Mr. Derbyshire.

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

THE SENATE.

Wednesday, May 3, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

GAULT DIVORCE CASE.

MOTION.

Hon. Mr. ROSS (Middleton)—With the leave of the House I move that the Chief Clerk of the Committees of the Senate, who has been subpœnaed to appear before the Superior Court of the Province of Quebec, at Montreal, with the records of the Senate

in connection with the application of Andrew Hamilton Gault, for a Bill of Divorce, be granted authority accordingly.

Hon. Mr. POWER—I think we should have some explanation in regard to this.

Hon. Mr. ROSS (Middleton)—A case is being tried in the courts of Montreal between these parties and the Chief Clerk has been subpœnaed to produce the records of the Senate.

Hon. Mr. McSWEENEY—Supposing the House does not grant permission.

Hon. Mr. ROSS (Middleton)—Then he cannot go. He cannot take the records without the leave of the House.

Hon. Mr. POWER—Under ordinary circumstances the House would naturally be disposed to allow one of its officers to appear before a court of justice, but the circumstances just now are not ordinary. We are evidently, from the motion of which the hon. leader of the House has given notice, just approaching the close of the session. The gentleman who acts as Clerk of the Committee on Divorce is probably the most active and efficient of all the comparatively subordinate officers of the House and it would be a very serious drawback to the business of the House if that gentleman were to leave the House at this stage of the session in order to appear before a court in the city of Montreal. The hon. gentleman from Middleton should give notice that he will make his motion to-morrow, and then if we decide to allow the Clerk of Committees to go, well and good, but I do not think we should take such a step without consideration.

Hon. Mr. LOUGHEED—Let it stand until to-morrow.

The motion was allowed to stand.

THE FERRY BETWEEN QUEBEC AND POINT LEVIS.

INQUIRY POSTPONED.

The notice of inquiry was called:

By the Honourable Mr. Casgrain:

That he will inquire from the Government

1. What is the cost to date of the car ferry —called I believe the Leonard, plying between Quebec and Point Lévis?
2. How many trips across the river did this ferry make in the month of January, 1916?
3. How many during February?
4. How many cars were carried across the river during these two months?
5. What was the cost of operation during these two months?
6. What was the cost per car for ferriage?

Hon. Mr. ROSS. (Middleton.)

Hon. Mr. CASGRAIN—Is the hon. leader of the House ready to answer the questions?

Hon. Mr. LOUGHEED—No, I have not received the information yet.

Hon. Mr. CASGRAIN—I might remind the hon. gentleman that the question is very simple. It would not take five minutes for any clerk in the department to supply the information.

Hon. Mr. LOUGHEED—The information called for in this inquiry is not in the hands of the Government. The same remark applies to the next inquiry, for information as to traffic on the National Transcontinental railway, which stands in the hon. gentleman's name. In the one case they would have to communicate with Quebec, and, in the other, with Moncton. However, I shall do what I can to have the information furnished.

THE POWER OF THE SPEAKER.

MOTION.

Hon. Mr. CLORAN rose to move the following resolution:

That in the interests of free and untrammelled speech in the Senate of Canada, it is advisable that the Speaker of the Senate, who is an appointee of the political party in power, shall have

1. No right, nor power, to intervene in any debate in the Senate.
2. To interrupt any senator in the course of his address.
3. To express any opinion regarding the subject matter under discussion before the House unless he, the Speaker, is specially called upon by a member of the Senate to do so, and the Speaker's decision on such question or point of order so raised be subject to ratification by the Senate.

Hon. Mr. LOUGHEED—To prevent my hon. friend entering upon what I might term a futile discussion, I would point out that this motion is entirely irregular; because it apparently has for its object the repealing of a standing order of the Senate. If my hon. friend will look at rule 29 of the Senate he will find there the practice laid down as to the repealing or changing of the standing rules of the Senate. Now this will affect rule 16 as my hon. friend knows.

Hon. Mr. CLORAN—I know that; that is what I want to do.

Hon. Mr. LOUGHEED—Rule 29 of the Senate provides 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.

So I submit, until my hon. friend takes the step indicated in rule 29, he cannot proceed with his motion.

Hon. Mr. CLORAN—I admire the hon. gentleman's legal ability, but I am making no motion to change the rule of the Senate. I am simply asking for the opinion of the Senate, which is altogether different. Cannot the leader of the Government see the point?

Hon. Mr. LOUGHEED—No; my hon. friend has moved a resolution. Now let me point out the inconsistency of it. My hon. friend moves a resolution that such and such should be done, or that it is in the interests of the Senate that such and such should be done.

Hon. Mr. CLORAN—Advisable.

Hon. Mr. LOUGHEED—We have a rule quite contrary to that. Let us be consistent. I am not discussing the merits of the question. I am simply pointing out that it is futile to discuss the matter unless my hon. friend wishes to accomplish something by his resolution.

Hon. Mr. CLORAN—I want an expression of opinion.

Hon. Mr. CASGRAIN—Rule 16 reads as follows:

The Speaker preserves order and decorum, and decides questions of order, subject to an appeal to the Senate. In explaining a point of order or practice he states the rule or authority applicable to the case.

And the marginal note is, "Power and duty of Speaker." Now, how is he to preserve order and decorum, if he sits there like a bronze idol and says nothing? By this rule of the Senate, it is the duty of the Speaker to call the House to order and preserve decorum. I do not discuss the merits of the resolution, but I think the rule is clear.

Hon. Mr. CLORAN—I contend that the Senate ought to be in the position that it occupied for forty years—that the House itself should be master of its own debates and its own decorum, and that when any hon. member of this House is out of order it is the right, if not the duty, of any senator to direct the attention of the Speaker to the fact and call for a decision on the point raised; so that the Speaker does not remain there as a bronze idol at all. The House for forty years controlled its own debates, its own free speech, its own order and its own decorum. They changed the practice or the rule some eight years ago to get at myself. They have not succeeded very much, but it was one of those stampede resolutions that are sometimes passed by the committee, and accepted by the House thinking it was creating a great reform. I contend that it is the right of this House to maintain absolute control over its debates, over its decorum and over its order. Why?

The SPEAKER—Order, order.

Hon. Mr. BOSTOCK—I rise to a point of order. The leader of the Government has pointed out to my hon. friend that he has no right to discuss his resolution in this way. He ought to consider what the hon. leader of the Government has said.

Hon. Mr. CLORAN—Certainly I do, but I want to point out to the leader of the Government—

Several hon. GENTLEMEN—Chair, chair.

Hon. Mr. CLORAN—What is the point of order?

The SPEAKER—The point of order is this, that the motion made by my hon. friend conflicts with the standing order laid down by the rules.

Hon. Mr. CLORAN—No doubt about that.

The SPEAKER—And to change that, a special notice must be given, which has not been given, and I declare the point of order well taken.

Hon. Mr. CLORAN—I am not asking that the rule be changed. I object to the ruling; the ruling is not in order.

The SPEAKER—The hon. gentleman has no remark to make upon the ruling; if he is not content with the ruling he can appeal from the Chair.

The matter was then dropped.

THE LIBRARY OF PARLIAMENT.

INQUIRY.

Hon. Mr. SPROULE—Before the Orders of the Day are called, I should like to inquire of the leader of the Government if he can tell us why the Joint Committee on the Library of Parliament has not been called together during the present session. After the disastrous fire we have had, and the loss of a considerable portion of our library, and the disorganized condition in which it must have been left and largely continued to the present, it is very desirable that some authority should try to get the library in shape again, and ascertain what we have lost. Many important parlia-

mentary reference books and other papers must have been lost, and it is desirable to have them replaced at an early date, and data should be furnished which the Government could go upon to provide for getting the library in proper shape again. We have had no notice of a meeting of that Joint Committee this session.

Hon. Mr. LOUGHEED—I would say to my hon. friend that it is entirely in the hands of the Chairman of the Committee. If the chairman has not exercised his discretion to call the committee together, I presume it is in the hands of any member to ask the chairman himself. I have no information about it.

The SPEAKER—I shall just put myself in communication with the librarian of Parliament and have a meeting called.

Hon. Mr. WATSON—I call the attention of the leader of the House and the Speaker to the fact that there is another committee that has not been called this session, the Restaurant Committee. I notice in the Supplementary Estimates an item to make up the deficiency caused by the fire. It appears to me that before the session closes the Restaurant Committee should meet.

The SPEAKER—In answer to that, I may say that some time ago I received a notice that the committee intended to meet and the time for the meeting was fixed at an hour when the Senate was sitting. I answered that for my part I could not go, but the other members might go.

Hon. Mr. THOMPSON—I had a notice from the Speaker of the other House in reference to the Restaurant Committee, stating that it was to meet on a certain day at four o'clock, but I received a subsequent notice that the meeting could not be held on that day, and I have received no further notice.

Hon. Mr. WATSON—I think our Speaker, as vice-chairman, should see that a meeting is called.

DELAYED RETURNS.

Hon. Mr. CASGRAIN—Before the Orders of the Day are called, I desire to direct attention to the fact that on Tuesday, March 14, I moved—

That an humble address be presented to His Royal Highness the Governor General; praying His Royal Highness to have laid on the table of the Senate a statement of all expenses to date in connection with the expenditures of public moneys at Port Nelson; also an estimate of the further expenditure to complete the works at Port Nelson on Hudson Bay.

That motion was adopted, but I am not aware that any attention has been given to this very just request. I am informed that more than five millions have already been spent on Port Nelson. I do not want to mix up the two questions, the construction of the railway from Le Pas to Port Nelson, a distance of 500 miles, and the Port Nelson terminal. The road is under construction, and I have no quarrel with that, though I have my opinion about it. We heard last night from the leader of this House about railways being duplicated and triplicated. There is no fear of that Hudson Bay railway being duplicated; the Government is building it when no railway authorities in Canada would consent to even tender for its construction, because they knew that it would not be profitable for many years to come, if ever.

The SPEAKER—I think the hon. gentleman is not in order.

Hon. Mr. CASGRAIN—I was simply—

Several hon. GENTLEMEN—Order, order.

Hon. Mr. LOUGHEED—I am glad my hon. friend has drawn attention to this. I sent the motion in to the proper source, but have not received any reply. I shall make inquiries.

THIRD READINGS.

Bill No. 35, An Act respecting the investments of Life Insurance Companies.—Hon. Mr. Lougheed.

Bill No. 84, An Act to authorize certain School and Dominion Lands to be included in the Taber Irrigation District in the Province of Alberta.—Hon. Mr. Lougheed.

PRISONS AND REFORMATORIES ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 86, An Act to amend the Prisons and Reformatories Act.

Hon. Mr. POWER—I do not rise to oppose the third reading of this Bill. I distinctly approve of it, but I wish to draw attention to the fact that about four sessions ago a Bill was introduced in this House and passed without division, providing that where a youth was sent to a home under the Juvenile Delinquents Act, if he turned out to be incorrigible, and unmanageable, he might be transferred from the home to a reformatory. That Bill went down to the House of Commons, and there, largely owing to representations made by

people who did not understand the position, the Bill was thrown out on the ground that it was a highly improper thing, that any boy, no matter how incorrigible, should be taken from a home and placed in a reformatory. I am glad to see that apparently the Minister of Justice has experienced a change of heart since that time, because I notice that in this Bill a party on a farm may be taken from the farm and put in jail if his conduct on the farm is unsatisfactory, and I hope that with the lapse of time the Government may go the whole distance that the little Bill of four or five years proposed to go.

Hon. Mr. LOUGHEED—I am sure the Government will not have lived in vain if it has satisfied, even in part, the aspirations of my hon. friend.

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

ATLANTIC PARK ASSOCIATION BILL.

AMENDMENTS CONCURRED IN.

The Order of the Day being called:

Resuming the adjourned debate on the consideration of the amendment made by the Standing Committee on miscellaneous private Bills to Bill H2, An Act to incorporate the Atlantic Park Association.

Hon. Mr. SPROULE—My attention was attracted to this Bill the other day, and looking over the amendments proposed to it by the Private Bills Committee, I wish to draw attention briefly to a few of its features. I find it is one of a class of Bills that have all too frequently been brought into this House, intended, I believe, for a purpose that most of the members who handle such Bills have not in their minds when dealing with them. There are a few features of the Bill to which I wish to direct attention. First, the place where the corporation is located. The corporation is located down I think in Restigouche, in the lower part of the province of Quebec.

Hon. Mr. DANDURAND—Would that not be New Brunswick?

Hon. Mr. McSWEENEY—New Brunswick.

Hon. Mr. SPROULE—Close to New Brunswick. It is somewhere in the district of Gaspé. It is very remote from the more settled, advanced, and enterprising districts of the country, in a locality where I understand the law is not always as well enforced as it is in more thickly settled districts, for reasons that I need not enter into now, but for reasons which I heard explained by the Justice Department regarding these Bills some years ago. Then there are few names here of men who are the incorporators, and they give some of the purposes of the Bill. What are the purposes? The Bill says :

The association may, for the purposes of its undertakings, acquire lands, wharves, docks, buildings, vessels, ships, vehicles, live stock, wares or merchandise, and other property, real and personal; and may, for such purposes, contract, operate, improve, extend, manage, develop, lease, mortgage, dispose of or otherwise deal in and with the same and may, for such purposes, establish shops or stores on the said lands.

Hon. Mr. DANDURAND—I think you are reading from the original Bill as presented.

Hon. Mr. SPROULE—Yes.

Hon. Mr. DANDURAND—But there is a reprint, and even the reprint has been amended in committee.

Hon. Mr. SPROULE—I admit that, but I am referring to the original purpose as set out by the incorporators. It gives them power to become land speculators, or a real estate company, to become merchants—

Hon. Mr. CASGRAIN—Why not?

Hon. Mr. SPROULE—To become agriculturists as a corporation, to become stock raisers, but you find when you go over it carefully—at least according to my judgment—that it has but one fine purpose, and that is to establish races and race courses. I have known this to be tried over and over again before. A good deal of trouble has been caused by such companies in remote parts of the country. The Bill provides that only four of its directors be an executive body, and three of them a quorum for the transaction of business. They can issue an unlimited amount of stock, according to the original Bill. They can borrow money on the notes or other securities of the corporation which the corporation endorses. They can start business in different parts of the country. They can start racing, but provision is made, at least under the amended clauses, that it must be under the law of the province. I want to draw attention to the fact that very few provinces in the Dominion of Canada—so I am credibly informed—have any law regarding horse races. I believe Ontario has, in connection with agricultural societies, but not otherwise, and the only law which controls horse racing in any way is the amendment that was made to the Criminal Code a few years ago by what is known as

the Miller Bill. What was the object of that amendment? It was to control a class of men who were organizing horse racing associations all over the country and turning them into gamblers' establishments, with the pari mutuals and other devices for selling pools and keeping up racing establishments for ten, fifteen, twenty, or thirty days at a time, running races for a month and then moving off to another part of the country and holding another race starting the second day after the meeting at the other track was closed, and going over the country in that way, making a regular business of it.

Hon. Mr. CASGRAIN—No racing association can hold races for more than eight or nine consecutive days.

Hon. Mr. McSWEENEY—Seven days.

Hon. Mr. SPROULE—I am quite aware of that fact, and want to refer to it a little later on. I have heard this matter discussed by horsemen. An amendment was made to the Criminal Code providing that no race track should be kept open for racing more than seven days for one time, and no more than twice in one year, but they have been doing just what they intended to do when they had the power to keep it open longer; they established more tracks, and when one racing establishment closes the next one will start. They carried it on a whole month at Windsor, and then they dropped down to Quebec and carried it on there.

Hon. Mr. CASGRAIN—For seven days.

Hon. Mr. SPROULE—Then back into Ontario, racing there for seven days, and then to Winnipeg, and from there to Calgary, Edmonton, and Vancouver, and back again to New Brunswick, and in that way they keep the business going all the time. It is merely a gambling business. I was told by men living in the vicinity of race courses, that it was one of the worst things in the country; that it enticed young men there at night where pools were sold and gambling carried on, and drinking of liquor, and it tended to demoralize the young element of the country. It was found to be so injurious that the people asked for an amendment to the Criminal Code to stop it, and a restriction was placed upon it, but here, by a Bill incorporating a few men on the edge of the Maritime Provinces where they were not known, they get power to come up and buy land in Ontario, and become a corporation, a real estate company, a commercial company, a trading company, a transportation company, buy wharves, and docks and everything else, which has no relevancy to the real object whatever. Is it wise to give such powers to any corporation? But these things are not done simply because they do not avail themselves of many of the powers they seek. As I have said they hide the real purpose of the Bill. Now this Bill has been denuded very much of its dangerous elements, because I see that the Private Bills Committee has struck out clauses 6, 7, 8, 9, 10, 11 and 12, and inserted other clauses in lieu of them, but in those clauses they still retain many of the bad features of the original Bill. What are some of them? They can acquire and lay out and develop real property and sell or mortgage or lease it; they can carry on farming, gardening, fruit growing and the raising of live stock of all kinds; subject to provincial laws, construct and maintain race-tracks, race-courses and steeplechases. That is the great object of the Bill. But they may go further. They can generally do all such things as are incidental and conducive to the carrying out of said purposes, or to the exercise of the powers given by this section. Then they have all the other et ceteras connected with it; they can borrow money upon the credit of the company; they can issue bonds, debentures, or other securities of the company for sums not exceeding $100 each, and pledge or sell the same for such sums and at such prices as may be deemed necessary. Nothing in this section contained shall limit or restrict the borrowing power of the company on bills of exchange or other promissory notes.

Hon. Mr. CASGRAIN—What clause is that?

Hon. Mr. SPROULE—Those are the amendments that were sent to us after the report came from the committee.

Hon. Mr. CASGRAIN—But we do not read that in the Bill we have here.

Hon. Mr. SPROULE—This was handed to me with an intimation that a motion would be made to concur in the committee's report, and that is in it.

Hon. Mr. CASGRAIN—That is not in the Bill before us.

Hon. Mr. SPROULE—It is certainly the committee's report, and if we concurred in the committee's report we passed these amendments as they are, it appears to me. Now I want to give an example of how some of these things work. A company

that has not its location in British Columbia buys land there, and starts fruit farming. The company sell stock in those fruit farms of British Columbia, and guarantee to pay back for so many years six per cent on every dollar of money invested in them, and they give the guarantee of another corporation that was supposed to be solvent then, but which afterwards broke down. They came down here to Ottawa and sold their stock on such security, practically their promissory notes. The money was borrowed and thousands of dollars were raised in Ottawa and put into that company, and I venture to say very few people will ever see any of it back. Now, men who do not know the conditions are induced, by an apparently very intelligent and attractive prospectus, to invest. You can easily convince the unwary that there would be very large and valuable returns on that stock. On the strength of that, people were induced to invest. But would any one who knows what a new country is, tell me what prospect there is of paying, as they claimed would be paid, 7 or 8 or 10 per cent dividends upon the money invested there when you buy the primeval forest and clear it up? It will cost at least $180 to $200 an acre to clear the land, and then you must plant out an orchard and wait until it begins to bear fruit before you have any return; yet it is represented that it will pay from 6 to 10 per cent dividend in the meantime, after caring for it, covering the risk and everything else. Many people who believed that they would receive returns of 6 to 8 per cent put money into those ventures. It is just such devices as these that are today the curse of the country, land speculation, buying land and laying it out, improving it a little, and then going to other parts of the country and selling it. That was carried on by the McCutcheon Bros. of Toronto, who have been standing their trials for weeks and weeks in Toronto through the dishonesty that was carried on by that company. It is because people are so easily misled that I think Parliament ought to be careful before giving any corporation such wide powers as are contained in this Bill, and giving them an Act of Parliament by which they can go out and delude the public and get money improperly out of them. This Bill gives power to establish race-tracks, issue bonds —no restriction on them whatever—bills of exchange, all those things. Wherever they can get money they are prepared to take it. It is because I am opposed to this *in toto* that I make these remarks in regard to this Bill. If I did not do so I would feel morally guilty of allowing something to pass out under my hand that I knew, from experience of life, and especially from experience in Parliament, where we have had to analyse these Bills many times over, I would feel that I was not doing my full duty if I did not draw public attention to the evil and try as far as possible to restrict, if not prevent it entirely, I want at least to cut out everything in the Bill that would leave in the hands of the company the power to do mischief, which I am very much afraid they desire and intend to do and will do after they get this Bill.

Hon. Mr. DOMVILLE—*Caveat emptor.*

Hon. Mr. DANDURAND—It will be somewhat difficult for the hon. gentlemen of this Chamber to have a clear conception of what has been done in the committee if they have in hand only the Bill which was sent to the committee and returned here, because while the Bill was in the committee it appeared at the first sitting that it was badly framed, and exaggerated in its demands, and the suggestion was made to reprint it on what we considered at all events moderate lines.

Hon. Mr. LOUGHEED—Has it been reprinted?

Hon. Mr. DANDURAND—It was reprinted while it was under discussion and examination in the committee, and if hon. gentlemen have only the reprint in their hands, they have not yet the Bill as amended by the committee. In order that hon. gentleman may understand the work which the committee did, I shall simply go through the Bill as it stands before the Senate.

Hon. Mr. SPROULE—Might I interrupt the hon. senator to say that I have in my hands the minutes and proceedings of 28th April which say:

> The Honourable Mr. Bostock, from the Standing Committee on Miscellaneous Private Bills, to whom was referred the Bill B2, "An Act to incorporate the Atlantic Park Association," reported that they had gone through the said Bill, and had directed him to report the same with several amendments which he was ready to submit whenever the Senate would be pleased to receive them.

The amendments are all set out in that report, and I am dealing simply with the Bill as amended.

Hon. Mr. DANDURAND—I draw the attention of the hon. gentleman to the fact that the amendments made, and which appear in the minutes, are amendments to the original Bill as sent to the committee, so that if they want to follow the amendments made to that Bill they must have the original Bill in their hands and not the reprint; but as I have the reprint with the amendments sanctioned by the committee, I shall go through the clauses of the Bill as it stands to-day.

Hon. Mr. DANIEL—Might I ask the hon. gentleman how it happens that this reprinted Bill is not distributed?

Hon. Mr. CASGRAIN—Here it is.

Hon. Mr. DANIEL—I have a copy of the Bill here; I do not know whether it is the reprinted Bill or not.

Hon. Mr. DANDURAND—The reprint of course bears the expression in the endorsement—"Reprinted 12th April, 1916, with amendments proposed for consideration by the Committee on Miscellaneous Private Bills."

Hon. Mr. DANIEL—I have not the Bill, then.

Hon. Mr. LOUGHEED—Could we not deal very much more intelligently with this Bill if it were properly printed and distributed?

Hon. Mr. DANDURAND—Then I will adjourn my remarks to the day when the Bill as reported from the committee has been distributed.

The order was discharged and put on the Order Paper for Tuesday next.

AID OF PROVINCIAL PROHIBITION BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 66), An Act in Aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors. He said: This is a Bill having as its object the enactment of legislation to permit the more effective carrying out of such legislation as may be passed in the provinces of Canada along the lines of prohibiting the sale and use of intoxicating liquors. I need not say that the subject of temperance, if not the subject of prohibition of liquors, has largely been in process of evolution for some years past in the Dominion of Canada. It has been progressive in the various steps which have been taken by the different provinces of the Dominion, and those steps, which have been crystallized into provincial legislation, have been entirely supported by public sentiment. That public sentiment has been very largely, if not altogether, the result of the education of the public as to the evils of intemperance. It has been the outcome very largely of conditions which have recently arisen in connection with the very lamentable and calamitous war which is now being carried on in Europe; and this sentiment is not limited to the Dominion of Canada, but is widespread throughout the continents of Europe and America. Those of us familiar with the growth of temperance legislation can look back to the time when what was known as the license system possessed a latitude which almost deprived it of the element of restriction, and permitted almost free trade in liquor. The whole trend of legislation in the provinces has been along the lines of restricting the license system in the traffic of liquor. It has resulted in the abridgment of the hours when liquor might be sold; as to the accommodation which should be furnished by those who engage in the traffic; as to the number of licenses which should be issued by the various authorities in the different municipalities throughout the Dominion of Canada; in the increase of the license fees which should be paid to the provincial authorities or to the municipal authorities as the case might be. Then, marching along with this particular class of legislation, we have other legislation upon the statute books of the Dominion of Canada, known as the Canada Temperance Act, which is along the line of total prohibition in such localities as may by popular vote adopt prohibition. So that we find upon the Provincial Statute Books as well as upon the Dominion Statute Book co-operation and more or less co-ordination along the lines of restricting the liquor traffic. Some years ago, shortly after the late Government came into office, public opinion demanded that a plebiscite should be submitted to the people of Canada upon this very important subject. The plebiscite was taken, and there was a majority vote in favour of the Dominion of Canada enacting a Dominion prohibitory law, but it was felt at the time that public sentiment had not been sufficiently pronounced, as reflected in the vote which was then taken, to warrant the Government

of the day in adopting the legislation sought by those who favoured prohibition. No very pronounced step has been taken since that time by the Dominion of Canada except in various immaterial amendments which have been made to the Canada Temperance Act. But of late years public sentiment has been further aroused in the different provinces of Canada, and that has been reflected in the enactment of provincial laws by many of the provinces of Canada along the lines of total prohibition. I need not point out to hon. gentlemen that more or less constitutional restrictions are facing the different provinces in properly carrying out or administering the law as placed upon their statute books. Probably no legislation has been considered by the Privy Council of England as to which there has been so much difference and which has been invested with so much litigious application as the exercise of the powers of Canada in legislating along this particular line. However, with the body of litigation which we have had upon the subject, as well as the legislation which we have had, not only from the different provincial legislatures, but from the Dominion of Canada, we can have a pretty well defined conception as to how far legislation may be enacted by both legislative bodies touching this question. More particularly in the West than in the East legislation has been passed looking to the adoption of prohibition. In the provinces of Manitoba, Saskatchewan and Alberta, practical prohibitive laws have been passed, or will be in operation at a very early date. The question of the importation of liquor from a province in Canada in which there is no prohibition into a province where prohibition has been enacted, is one of the difficulties confronting the various provinces in attempting to enforce the laws which they have placed upon their statute-book. There has been well-defined and expressed public sentiment in favour of the intervention of the Dominion Government in assisting those provinces that have enacted legislation upon this question, and consequently the Dominion Government has felt itself called upon to assist in every possible way by the passage of this Bill, to make successful the legislation which has been placed upon provincial statute-books and which, I think, we are warranted, by the expressions of public sentiment, in placing upon the statute-books of this Dominion.

Hon. Mr. McSWEENEY—What is the amendment they passed last night?

Hon. Mr. LOUGHEED—What my hon. friend refers to are certain amendments to the Canada Temperance Act; but that has nothing to do with the Bill now before us. It is proposed by this Bill to prohibit, so far as the Dominion authority is concerned, the importation of liquor from a non-prohibition province into a prohibition province. That is the fundamental principle of the Bill. There are various clauses incorporated in the Bill to carry the principle into effect.

Hon. Mr. DAVID—What about the provinces that continue to have the Scott Act?

Hon. Mr. LOUGHEED—I might say to my hon. friend from Mille Isle that the law will be carried out, namely the Canada Temperance Act, entirely irrespective of the operation of this measure. I apprehend no conflict or friction between the legislation touching the Canada Temperance Act and this Bill which is now before us for consideration.

Hon. Mr. McSWEENEY—I might say that the Dominion Alliance down in New Brunswick appealed to the Government to do away with the Canada Temperance Act, otherwise known as the Scott Act.

Hon. Mr. LOUGHEED—That is entirely in the hands of the electors, whose voice controls that particular legislation within the districts where the Canada Temperance Act may be in operation.

Hon. Mr. OWENS—Hear, hear.

Hon. Mr. LOUGHEED—But this legislation provides for co-operation with the provinces of Canada wherever there may be a prohibitory law, and contemplates marching hand-in-hand practically with the local authorities in assisting the province to enforce the law to the extent that they may legislate. Beyond that we do not feel it incumbent upon the Dominion authority to go, and we leave it entirely within the legislative authority of the province to legislate, to crystallize into their statutes whatever public opinion or public sentiment may be upon the question. When that is done, then automatically the legislation which we are now considering will come into play and, so far as the authority of this Parliament is concerned, will make that legislation a success; so that no longer will it be said, when a province of Canada may enact prohibitory legislation, that the responsibility is thrown upon the Federal Government to exercise the authority which it possesses and enact legislation to make a success of the

laws which may be passed by the provinces. That, hon. gentlemen, is the principle of the Bill. Inasmuch as it will involve probably lengthy discussion and will go before a Committee of the Whole, it is unnecessary for me to discuss the details of the measure except to say that the principle is a very desirable one, and I have no doubt will be adopted.

Hon. Mr. CASGRAIN—This is a very desirable Bill no doubt, but is the Government quite sure that it is not opposed to the section of the British North America Act which prevents restriction of trade between one province and another? It seems to me the constitution was framed for that very purpose mainly. I should like to ask the Government whether it would not be necessary to amend the British North America Act to permit this restriction. If you can restrict trade between the provinces in one article, you can do it for another.

Hon. Mr. LOUGHEED—I would say that that is a consideration that has not been overlooked. The Government would not have brought down legislation to this Parliament if they had not known that they had authority to do so. I hope my hon. friend will not feel in the least disturbed in regard to the constitutionality of this measure. I may assure him that it has received the best consideration of the law officers of the Department of Justice. The various judgments of the Privy Council have been well considered and have been applied in the consideration of this legislation.

Hon. Mr. POWER—I should like to say a few words on the second reading of this Bill. I may state in the first place that I am opposed to the Bill *in toto*, and that I think it my duty, as an advocate of what I look upon as reasonable legislation, to protest against the introduction of this measure. The hon. gentleman, whose introduction of the measure is quite beyond criticism, told us that this prohibition sentiment was extending rapidly both in Europe and in America. Now, it is a fact, hon. gentlemen, that during the last few years there has been a sort of epidemic of this prohibition sentiment, or the desire for prohibitory legislation, running over a great portion of the United States and the greater part of Canada. It is something like influenza; it comes and it is very violent for awhile, it does not do any good, and then it passes away.

Hon. Mr. LOUGHEED—Do you think there is any anti-toxin for it?

Hon. Mr. POWER—Yes, there are certain remedies, one of which was well known a few years ago, called Peruna, which contained I think 40 per cent of alcohol. That is the sort of remedy which is most generally applied. This epidemic, as I say, has included the greater part of Canada in its sweep. There is no question about the vote. The difficulty is that this prohibitory legislation really does not, as a rule, meet with the honest approval of the bulk of the people in the different provinces, and the reasons are these: that nowadays, for a great many years, the tendency has grown to look upon drunkenness as a very objectionable thing. There was a time, a hundred years ago, when great leaders in public life and in private life did not think it discreditable to wind up a dinner under the table. That condition of things passed away with the advance of wisdom and civilization, and as a result of the strenuous efforts of friends of temperance, who resorted to moral suasion. Now, I have undertaken to say that the public sentiment of this country is not at all as unanimous in favour of this kind of legislation as one might suppose. The truth is, hon. gentlemen, that those who are conscientiously opposed to prohibition are afraid, when it comes to a vote, to voice their sentiments through their votes. That perhaps seems a rather sweeping statement and a little rash, but if hon. gentlemen would stop to consider, I think they would see that it is not so. In the first place, as I intimated a few minutes ago, drinking is now unfashionable. No man wishes to be either looked upon as a drunkard or a man who often loses control of himself through drink. He does not wish to be looked upon as in favor of liquor, because if he voted against a prohibitory measure it would be claimed that he would be voting in favor of liquor and drunkenness, and there is this feature about the case to which I think hon. gentlemen may not have given sufficient attention—there are two classes of people who have been very prominent in urging the passing of these drastic measures in favor of preventing the use of liquor. One class is women. Now, one can readily understand women's dislike of drink. They hate to think that their husbands or sons are drinking any kind of intoxicating liquor and thereby perhaps running the risk of becoming habitual drunkards, or excessive drinkers, and the prohibitionist comes to

a gathering of ladies, say, and asks them to vote for prohibition so as to put an end to drinking, and the women almost unanimously endorse what the speaker says. But the truth is, if that speaker told the truth, the whole truth, the women's sentiments might be different, because while we have been having prohibitory legislation for a long time, drinking has gone on to nearly as great an extent as it went on before and under more unfavourable circumstances. Then naturally on a question of this kind a man does not care to give a vote which he thinks is calculated to displease his wife. Then the clergy; a great many of them are apparently of the same opinion as the women, and they import into the campaigns for this legislation an amount of energy and one might almost say temper and intolerance which is not desirable. We know that this kind of legislation encourages hypocrisy. I have before my mind's eye now a gentleman who was a prominent member of the Assembly of Nova Scotia when I had the distinguished honour of being Clerk Assistant of that body. That gentleman was well known to be in the habit of indulging freely, but in the House he advocated in the most vigorous language the introduction of restrictive measures in the matter of liquor, and I have seen him, after he had made a speech of that kind, crossing the street to a bar room at the other side of Granville street from the Legislative buildings and indulging freely there. I do not accuse the hon. leader of the Government in this House of hypocrisy, but still I think it is barely possible that he does not always show the same respect for prohibition that he has shown just now. Politicians particularly feel bound to bow to what they look upon as the popular sentiment of the day. My view is that it is not really the popular sentiment of the day, and one of the proofs is that though this kind of prohibitory legislation has been enacted from one end of the country to the other, we do not find it has stopped drinking. In fact, in some cases drinking is carried on to the same extent and under much more unfavourable circumstances than it was under the license system. Sumptuary legislation is not the kind of legislation that this Parliament should indulge in. We have no right to tell a man what kind of clothes he shall wear. We have no right to prescribe by statute what he shall eat, and I do not think we have any right to prescribe what he shall drink, providing his drinking does not interfere with his neighbours. This prohibition doctrine, which is looked upon by some of the ministers of religion as being really more important than any one of the Ten Commandments, is contrary to our ideas of sound legislation. If I may be pardoned for indulging in some remarks on the principle of this thing, there is no foundation for the prohibitory sentiment to be found in either the Old or the New Testament. In the Old Testament you find in various places the praises of wine are sung. It was the practice of all the sages and saints from Noah down at any rate to the Christian era to cheer their souls with wine.

Hon. Mr. DOMVILLE—And some were advised to take a little for their stomachs' sakes.

Hon. Mr. POWER—Sometimes the right to drink was abused, just the same as any other right was abused, but there is nothing to be found in the Old Testament which in any way condemns the use of wine. The abuse of wine is condemned just as the abuse of anything else is condemned. Gluttony is condemned, but it does not follow that because gluttony is condemned a man should not eat; neither does it follow that he should not drink because drunkenness is condemned. Some hon. gentlemen probably have themselves thought over some remarkable features with respect to the New Testament. In the first place, I take two or three incidents from the New Testament, which do not harmonize with the views of the ladies and clergymen, who are at the back of this prohibition agitation. The good Samaritan who befriended the traveller from Jerusalem to Jericho took him into an inn and gave him oil and wine. Then I think a very striking circumstance is that the first miracle that our Saviour worked on earth was turning water into wine at the wedding of Cana. Then we find that our Lord used wine on other occasions, and in an especial manner at the Last Supper, and his disciples with Him. I find it hard to understand how the followers of our Saviour are able to propound a doctrine so diametrically opposite to His practice and doctrine.

Hon. Mr. LOUGHEED—Things have changed wonderfully since then.

Hon. Mr. POWER—And hon. gentlemen will find that from the date of the Christian era down to a comparatively recent

period, wine and other intoxicating beverages have been used throughout almost the whole known world, and no question was ever raised as to the propriety of using them. No attempt was ever made to prevent the drinking of wine. Take countries like Italy, Spain and Greece; wine has been consumed there from time immemorial. It has done, as far as I am aware, no harm, and no Government in any of those countries would undertake to prevent its use. In northern countries there has been more abuse perhaps of the liberty of drinking, and just because in England, and Russia and Scandinavia, the right to drink has been abused, efforts have been made, particularly during the last century, to prevent drunkenness. Amongst those whose efforts to put an end to the abuse of wine and liquors had a great effect on public conduct, and public sentiment, I may mention Wesley, and Whitfield, and in Ireland, Father Matthew. Very valuable work was done by the people who trusted to moral suasion. As far as I understand there was no considerable movement in favour of prohibition until about the middle of the last century. About that time I think the Maine prohibitory law was passed, and since that time prohibitory laws have been passed in a great many states of the union. This prohibitory legislation has to a large extent taken the place of appeals to religious and moral sentiment and to self-respect, and I think that the cause of temperance has not benefited by the change. If moral suasion had been continued there would have been less drinking than there is to-day, less drunkenness and a great deal more self-respect and more respect for the law.

I propose to say a few words about this respect for the law, but there are a couple of points I think worth mentioning before I come to that. Canada, is not a drunken country. When you find a wide-spread movement in favour of a certain kind of legislation, you naturally ask "Well, why this legislation"? Now if Canada were a drunken country. I could understand that there was some solid foundation for the prohibitory sentiment, but Canada is not a drunken country. The statistics show that the consumption of alcohol per capita is less than in almost any other civilized country. It is much less than in England and the United States. I think it is only about one-fourth what it is in England. I spend a reasonable amount of time here in Ottawa every year, and I very rarely see a drunken man, very rarely see a man of whom I could say, "Well, he has evidently been indulging," and consequently, inasmuch as there is no very serious mischief affecting the country, there does not seem to be any reason for such drastic legislation as this. Then, again, there are other things just as bad as liquor. If I were asked my opinion, I would say I believe that to-day in Canada the consumption of tea does as much mischief as the consumption of alcohol. Undue indulgence in tea affects the nerves, demoralizes the nerves of the population, and has a great deal to do with filling the insane asylums.

Hon. Mr. THOMPSON—How about coffee?

Hon. Mr. POWER—I do not think coffee affects the nerves so much. While no doubt it is a bad thing to drink intoxicating liquor to excess, it is also a bad and sinful thing to eat too much; and I venture to say that eating too much and eating the wrong things do as much mischief as drinking. Why do not the same public-spirited men start an agitation to limit the amount that men shall eat, and to fix the quality of the things they shall eat? Why is there no campaign against the use of tea? I said just now that I have a word to say about disrespect for the law. I have not taken time to prepare this speech, and I propose to refer to a pamphlet. The writer of this document, the late Edward Miall, was one of the ablest public servants we ever had in Canada. Speaking of the Scott Act he said:

> The whole tendency of such legislation has been to nurture a disrespect for law which beginning with certain specific laws gradually extends to law in general, wherever law is opposed to self-interest.
>
> Vicious practices can only be uprooted and overcome by what Dr. Chalmers designated as "the expulsive power of a new affection."
>
> The fundamental error of all those who support prohibitory legislation is that of failing to distinguish between crime and vice. The one threatens the rights of others, and is properly amenable to human law; the other is an inward moral distemper in respect of which its subject is accountable only to his own conscience and to his God. Vice may by indulgence therein bring forth crime, but until some overt act has brought the vicious man within the criminal ranks, human law can rightly take no cognizance of him.
>
> But there is a power vested in society, beside which human law is the veriest pigmy, i.e. the power of an enlightened and Christianized public opinion, under the influence of which the lewdness and inebriety of the last century have abated to an extent which then would have been deemed miraculous.

I have already said that this legislation has been passed, and more of it will be

passed, I suppose, but that it has not been effective. I read again from this pamphlet:

Day after day we are receiving intelligence that prohibition in the United States is a failure. Eighteen mayors of cities in the State of Iowa have recently reported on its results; of these, fifteen pronounce it an absolute failure, and state that drunkenness is more than ever prevalent. In Vermont the law is not enforced; four hundred and forty-six places for the sale of liquor exist, and the business is carried on as openly as if no law had been enacted to prohibit it.

Massachusetts, Connecticut, Indiana, Michigan and Wisconsin have dropped their prohibitory laws and have recourse to legislation to regulate the traffic.

It must be so. Unless legislation is confined to the proper regulation of the houses at which liquors are sold; unless temperance advocates give up the attempt to force sober, well-intentioned men to yield up their natural rights of action and of private judgment, their legislation may pass, but it will never be enforced.

I think the experience of all hon. gentlemen here bears out what this pamphlet says. Unless you have strong public opinion behind legislation, particularly legislation of this offensive character, it will not be enforced. I venture to say that no hon. gentleman can point to an instance where prohibition has been a complete success. Take almost any of the States where the majority decides that the State shall be dry, in a year or two another election is held, and the State goes wet. I saw the other day in an U. S. paper that the State of Vermont, after 40 years of prohibition, with the result indicated in this pamphlet, had repealed the prohibitory law and introduced local option. I do not propose to deal with the effects of alcohol Some years ago doctors often recommended alcohol. They do sometimes still, but I do not think the expressed opinions of medical men on a subject of that kind are infallible. Was the doctor of 20 years ago not nearly as likely to be right as the doctor of to-day? I think he was, and I call attention to one of the circumstances which hon. gentleman here must have noticed, that while temperance, and in fact, total abstinence, has been very much in favour in the British army of late, and while the surgeons in the British army are quite up to date in their views about alcohol, it has been found, I believe, absolutely necessary that the troops in the trenches should have a ration of alcohol.

Hon. Mr. CASGRAIN—Rum.

Hon. Mr. DOMVILLE—Hear, hear.

Hon. Mr. POWER—And it is found most advantageous. Then it is often said that crime and drunkenness often go together and the view taken is that the crime is the result of drunkenness. I doubt that. I think that very often it is on account of the weakness of the individual. Because his moral sense is not strong, he is liable to get drunk, and liable to commit crimes apart from the drinking. Another paragraph in this book reads as follows:

Restricted in great measure to the "residuum" drunkenness began to be associated with disorderliness and few but those who were in other ways disreputable would allow their drunkenness to be known or conspicuous. By degrees the class of drunkards was in the main composed of firstly, those who were manifestly the subject of disease, secondly, professional criminals, and, thirdly, persons of weak natures who were on the slightest temptation likely to lapse into criminals. It was not therefore drink that caused crime, but rather that the moral weakness or moral perversion which bred crime was a suitable soil for the vice of drunkenness, and hence crime and drink were found usually allied and have continued to be so until this day.

Then another aspect of this matter which I think deserves consideration from this House, is the fact that this legislation, such as we have had, making no provision whatever for compensation to those whose property is taken, is contrary to the spirit of British institutions and to the spirit of British law. I will quote a few lines from Blackstone on that part. He says:

So great moreover, is the regard of the law for private property that it will not authorize the least violation of it; no, not even for the general good of the whole community. If a new road, for instance, were to be made through the grounds of a private person, it might perhaps be extensively beneficial to the public; but the law permits no man, or set of men, to do this without consent of the owner of the land. In vain may it be urged that the good of the individual ought to yield to that of the community; for it would be dangerous to allow any private man, or even any public tribunal, to be the judge of this common good, and to decide whether it be expedient or no. Besides, the public good is in nothing more essentially interested than in the protection of every individual's private rights as modelled by the municipal law. In this, and similar cases, the Legislature alone can, and indeed frequently does, interpose, and compel the individual to acquiesce. But how does it interpose and compel? Not by absolutely stripping the subject of his property in an arbitrary manner; but by giving him a full indemnification and equivalent for the injury thereby sustained. The public is now considered as an individual treating with an individual for an exchange. All that the Legislature does is to oblige the owner to alienate his possessions for a reasonable price; and even this is an exertion of power, which the Legislature indulges with caution, and which nothing but the Legislature can perform.

Those are the views of a man who certainly deserves the respect of all lawyers, and

of all law abiding citizens. As Blackstone points out, the smallest portion of a man's land cannot be taken away from him without compensation, but under the Bill before us, and under the Acts it proposes to validate, there is no compensation. A man may have been conducting a business for 20 or 30 years and may have spent a great deal of money on the premises on which the business is conducted. He may have paid large sums into the municipal treasury, and for that matter into the Dominion treasury also. He may have conducted the business in the most satisfactory way without any abuses. He may never have given drink to a man who already had had enough, and still that man, under this legislation and the provincial legislation which we are asked to confirm, is certain to have his property confiscated, and he himself and his family, if he is advanced in years, placed in a position where he is really unable to make a living. A man who has been for 30 or 40 years in one occupation cannot readily go to another. If this measure had contained some provision for the compensation of those whose property is taken away or destroyed, then I should not feel so strongly about it, but as it stands, this Bill taken with the legislation which it undertakes to confirm, is of a most tyrannical and indefensible character. Every hon. gentleman knows of the large sums which are invested in this business.

I just wish to say a few words about a case which has come under my own observation, the case of the city of Halifax, because the course of action with respect to license in that city is in a way characteristic of the prohibition party. We have had in Nova Scotia, as most hon. gentlemen know, for some time legislation which prevented the sale of liquor throughout the province. When this legislation was passed an exception was made as to the city of Halifax where licenses were allowed. It was thought at that time that to undertake to put an end to the sale of liquors in that city would lead to very serious difficulties, and that the latter condition of the city would be worse than the then condition, and the Act which dealt with the matter contained this provision: that when one-fourth of the rate payers of the city of Halifax presented a petition asking for a plebiscite on the question of abolishing licenses there, then the plebiscite would be taken. That was a reasonable proposition, and one would suppose that the advocates of popular rights and temperance would have been satisfied to abide by that; but here a couple of months ago, seeing that there was a provincial election approaching, the legislature overlooked and ignored this very reasonable provision, and imposed prohibition on the city of Halifax, contrary no doubt to the wishes of the majority of its people. That is the sort of tyranny that is likely to be developed by enthusiasts. We have had an orderly city, with very little drunkenness as a rule. There possibly may have been a little more since the city has become a great military headquarters, but not very much, and the various licensed houses were conducted in a perfectly proper way. The hours were carefully observed, and, as I say, the licensed houses were conducted in a way that no one could find fault with. Now what are we threatened with after the 30th June? All these licensed houses will be closed, and instead of good liquor being sold under the eyes of the police or at least where the police have no difficulty in seeing it, liquor will be sold in dives and dens and out of the way places, and liquor, too, of the very worst character. I am satisfied that the arrests for drunkenness, after this prohibitory law goes into operation, will be much more numerous than they are today. I may say, as carrying out that view, that there are two cities in the County of Cape Breton which have been under a prohibitory law for some time, and that the drunkenness in those two is proportionately much larger than the drunkenness in Halifax. I move that this Bill be not now read a second time, but that it be read the second time this day six months. The honourable gentleman from Montarville had proposed to second the Motion, but he has been called away to Montreal on urgent business. I feel that I am justified in mentioning his name, and stating that Senator Beaubien was prepared to second the resolution. Under the circumstances, my honourable friend from Moncton (Hon. Mr. McSweeney) has been kind enough to have mercy on me, and to second the Motion.

Hon. Mr. DOMVILLE—I should like to interject one remark—I am not here very much and this is a solemn occasion. It is a most peculiar state of affairs. I did not read the Bill until this morning. I understand it, because at one time I took charge of the temperance people in my county, because they said in an hour of weakness

their leader had given way. Well, I never had an hour of weakness when I was with them. I took my ration, and some of them took theirs, but, mark, it was as medicine, not as a beverage. I do not want to be offensive to anybody, passing away as a lot of us will before very long, but why are we getting tangled up? Here we have the Old Testament, the New Testament, water turned into wine, "Take a little for thy stomach's sake and thine often infirmities"—we will all agree to that. I am not going back on the old Scripture. I am not going to take up the cases of Moses and Aaron with their long beards, because conditions existed then that are not in order to-day, but the same principle remains—that the country should be a temperate country. Everybody knows that. You don't want to go to extremes, neither do you want to ruin a good trade. My hon. friend spoke about the amount invested in the liquor business. That is no argument; the argument is, is it right or is it wrong morally, and how far are we going to save humanity? Mr. Speaker, if we can save ourselves, each individually, we will have done one of the greatest works possible. I agree with my hon. friend from Halifax. We don't always agree, because I know his ability, but he is like myself, he has too much ability, and we want to take advantage of it all the time, and unfortunately people won't put up with it. Now, women and preachers favour prohibition—I speak now irrespective of churches, I throw no slur on anybody's church—but I am not going to be bound, as one, by preachers, nor by women. My day has gone by for that, and I think it is impertinence—not applying the word to this hon. body, to urge this legislation. Women, as my hon. friend says, get together in caucuses, and they have nothing to do but talk about temperance and what they are going to do with their husbands. What do their husbands do outside? And what do some of them do inside? Now, this I want to go down to history—that we in the Senate are not so hide-bound as to listen to the women and preachers. In my church, if I had any—I did have once, but it was too costly, I hadn't money enough to be saved, see?—It was all the time, "give, give, give, or we perish." Now, I have so much faith in the Old and the New Testament which my hon. friend quotes that I believe that if a man does his duty, and if we all did our duty we should all be saved if there is any salvation, which I have no doubt of, outside of paying money to get it done. Now, those are my views, and I am not going to be led astray by any hypocritical ideas. How many men around this whole place would go and say with hand on heart, that they didn't take a drink and they didn't like one? Not that they are intemperate, because, mark you, I believe them all to be temperate, temperate in all things. Where so many gentlemen are together, if they were to say from their hearts and their belief that there should be nothing drunk I could hardly take them in earnest. It is hypocrisy; the whole thing is hypocrisy. This measure is forced on this Government; perhaps they can't help it, they have to bow to public opinion. My hon. friend says this legislation is demanded by the women and the preachers. We are not bound to the women and the preachers here. We are representing a great nation, or what will be a very great nation, and we have to look ahead and see what the results in the future will be. Do you want this country filled up with nothing but psalm singers? They can't fight in the trenches. I saw a letter from a friend the other day saying, "Send us no more psalm singers and preachers; send us men that can work with a spade and shovel," and as my hon. friend says those men, with all the cold that they suffer, need a little liquor, as Timothy did, "for thy stomach's sake and thine often infirmities." Now, I don't think we ought to turn this place into a temperance hall, because if we gave any encouragement they would take charge here and we would have everything to prove that liquor is bad, liquor is right, that it was ruled out of Maine, that Illinois carried it, that in some other place, common sense really had no show, that if it was used in moderation and properly guarded and used as the Old Testament says we would be justified. What are the churches going to do if there is no liquor brought in? How are they going to administer their sacraments once a month? They can't do it; they can't break the law; they would be imprisoned. I don't want to go into ideas that should not be brought on the floor of this House. Where are they going to get their wine, eh? It is very hard to tell. But apart from all this, there is a great question. I have only tried to go on the moral side of it; but the moral side is immoral; there are lots of things that

could be done if we want to reform the human race.

I can show you a great many things which might be done which I would advocate, but this is not the occasion for it. We would not raise so many preachers, perhaps—but you can't go into that business. But I doubt very much the constitutionality of this legislation, under the British North America Act. The judgment given in England in the case of the Canada Temperance Act would not have been given if that case had not been badly presented to the Privy Council. If it had been properly presented, that Act would have been thrown out by the Privy Council. That was the opinion of the most eminent authority in our province who has passed away. He assured me that the judgment of the Privy Council was not given on the merits of the case. Now, what authority have the Government of Canada to enter into partnership with the provincial authorities? The provinces are sovereign states; they have a right to legislate within their own bailiwick; they have the right to say what they want done; the British North America Act allows them certain lines such as licenses and all the rest of it which they may carry out, high license, high inspection, and the morals of people. But take New Brunswick to-day and look at the state of affairs there. Is there a Government? It is very hard to tell what the next incoming Government may be; and are they to sit down and tell us on their ipse dixit, what we are to do and what we are not to do? They may have that power, but here this Act puts us into partnership with the local authorities and says that whatever they do, however monstrous, we guarantee it or we forbid it. Now, have we any such right? I take the ground that under the Merchant's Shipping Act and the laws of England you cannot prevent liquor being brought into this country, and if it is brought into this country this Bill restricts the shipping of it from one province to another. Where they may have a "dry" province you cannot prevent it coming in from England under the laws of England, unless the laws of this country are above the laws of England.

Hon. Mr. McSWEENEY—We had prohibition one time, had we not, in 1855?

Hon. Mr. DOMVILLE—Yes, but it didn't last long.

Hon. Mr. McSWEENEY—How long?

Hon. Mr. DOMVILLE—About a week.

Hon. Mr. McSWEENEY—Six months.

Hon. Mr. DOMVILLE—That is the ground I stand on—that we can't prevent the importation. If the liquor is imported from Great Britain, then how are you going to stop it going to British Columbia, Manitoba, or wherever it may be—making, as this law does, common carriers responsible for taking it away by the Common Carrier's Act? Now, I think this is a very serious question. Transportation is what this Bill aims at. Hon. gentlemen will remember that some years ago Prince Edward Island adopted prohibition. We were sorry for Prince Edward Island——

Hon. Mr. CLORAN—They have all they want down there.

Hon. Mr. MURPHY—Order, order.

Hon. Mr. DOMVILLE—My hon. friend says order. He did not join in it, but we were asked to pass an Act protecting that little island from liquor going into it, holding that island up as a model, a banner province, before the whole world; and we in Canada were asked to legislate that we should keep them all straight. Wasn't it an absolute farce? But the Bill was thrown out. This Bill is on all fours with it. My hon. friend says the preachers and the women get together and they are going to say what transportation is going to be; they are going to say what we are going to do and what we are not going to do. Well, we might say something that perhaps might not fit in very well with their views. But the world was never made perfect and possibly it won't be made perfect, certainly not by legislation. It may be made perfect by example, by teaching principles imparted at the mother's knee, but not by political or other authority trying to redeem us all. I think this hon. Chamber should take the matter into consideration. I will set aside vested rights and put aside everything; I am simply taking it on a hypocritical intention to do some thing. I am not blaming the Government; they are forced into it, and I have no doubt the late Government, under the same circumstance, would have gone one better; they would sew up the mouths of all who use liquor, which is the only thing you can do to stop drinking. But we must divest ourselves of that idea, and as hon. members of this Senate, look out all over the world as men of integrity, men of standing, that we shall not go down to the level of hypocrites in what we do to-day. Never mind what the

future is going to bring forward; it is what we have to-day before us, and that is, how far we can justify the hypocrites—for they are nothing but hypocrites as far as I know, in my province—in their policy. I let all the other provinces go in this question of liquor and consumption. Now I have only given my views. They may quote them all, for I have no hours of weakness about me; I do not care; I am not seeking for votes, not seeking for party advantage. Since I have been in this Chamber I think I have shown an independent spirit standing up for what I thought was right all round. Nothing would take me to the party standpoint or permit me to do anything radically wrong and that could not be sustained before the country. We are here as judges, not as partisans. It is our duty to do what is right, and to give the Government credit when they do what is right. I am sorry that the Government has had to bring in this Bill. I suppose it has been forced upon them, but I do appeal to the hon. gentleman here irrespective of the outside view, irrespective of sentiment, irrespective of what the women say at home—some of them have wives—irrespective of all that to do justice. The laws should be regulated of course as to high license, that rests with the local Governments, also the quality of the stuff the licensed houses sell, inspection, and so on, but I want the members of this House to stand up as a body and show the world that the Senate declines to be led by preachers and women to do something that is irrational and sumptuary.

Hon. Mr. CASGRAIN—Section 121 of the British North America Act says:

> All articles of the growth, produce, or manufacture of any one of the provinces shall, from and after the Union, be admitted free into each of the other provinces.

Now I am in favour of any measure that is good for temperance, but if the Government is really anxious to have this measure carried into effect the sooner we make this point clear the better. I am informed that this legislation is ultra vires of the powers of the Dominion Government. Here you are saying to one province who has no prohibition to-day "You snall not do a certain thing; you shall not"—

Hon. Mr. LOUGHEED—No.

Hon. Mr. CASGRAIN—Well, you cannot ship liquor to another province: consequently the residents of that particular province are told by this Government. "You cannot do a certain thing." If to-day you are in a position to say to a province. "You shall not ship into Ontario," for instance, "certain articles," to-morrow this Government could say, "You shall not ship another article." I have been told by a legal gentleman that this Bill is absolutely against the Confederation pact; that free intercourse was to exist after Confederation between the different provinces, with nothing to interfere, and that therefore this legislation is in violation of that pact. Just now the leaders of the Government tell us that the lawyers of the Government have looked into this very carefully and that we need have no fear. Well, I recall full well that on the question of liquor legislation no less a Government than that of Sir John A. Macdonald passed a license law restricting trade and commerce and if I recollect rightly that law was declared unconstitutional. I remember several laws that were passed by this Government that were subsequently declared unconstitutional when they were contending against the Government of the late Sir Oliver Mowat —the Streams Act and other Bills. So the fact that the opinion of the law officers of this Government was sought, is not conclusive. I heard Sir Richard Cartwright in this House say that some legal gentleman of very high standing had given an opinion, which was not exactly the opinion that had been wanted, and he immediately said, "I have given you very strong reasons why this should be that way, but if I were told to do so I could give you equally strong reasons why it should be the other way." So if the officers of the Crown were asked if this Bill should be passed they could give all the strong reasons why it was constitutional; but to make the matter absolutely sure, a small amendment could be made to the British North America Act so that there could be no doubt about it by simply saying that trade in alcoholic liquors could, by this Act, be restricted between province and province or the province inter se. There would be no objection to that, but as it is to-day, it will be put on the statute book, somebody will take out an injunction, or it will be referred to England, and you will hear no more about it, for the decision on those appeals to the Privy Council comes when all interest in the matter has passed. We may get the decision in two or three years, and the probability is that it will be that the law is not constitutional.

Hon. Mr. CLORAN—The leader of the Government said a very important thing when introducing this Bill—that its sole object was to prevent the importation from a non-prohibition province into a prohibition province. Do I understand the hon. leader to have stated correctly and fully the object of the Bill?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—Then I say the Bill is one-sided; it has only got one leg to stand on. If importation is to be restricted simply from the non-prohibition provinces into the prohibition province, then what about importation from the states of Maine, Vermont, Illinois, Wyoming and Dakota, and from England, Scotland, Ireland, France, and all the countries of Europe? Can wines and liquors be imported from those countries and brought into a prohibition province?

Hon. Mr. LOUGHEED—No; we will stop the importation.

Hon. Mr. CLORAN—Under what law? The leader of the Government stated here that the sole object of this Bill is to prevent the importation of liquor from one province into another. Now, the Bill does not state that liquor cannot be imported from foreign countries into those prohibition provinces, therefore—

Hon. Mr. GIRROIR—Or from any place outside of Canada.

Hon. Mr. CLORAN—I am not asking the hon. senator from Antigonish.

Hon. Mr. GIRROIR—But that is the Bill.

Hon. Mr. CLORAN—I asked the leader of the Government if his statement was full and correct, and he said yes, that the sole object of the Bill is to prevent the importation, practically, from the province of Quebec into the other province of Ontario. Now he has confirmed his statement, and, therefore, I say the Bill is lop-sided and will be unequal to the task. I simply raise the question; I am not going to discuss the merits of the Bill; I shall take occasion to do that later on.

Hon. Mr. LOUGHEED—You will find that in the Bill. Provision is made in the Bill for liquor coming from outside of Canada.

Hon. Mr. CLORAN—Then why did not the leader of the Government say so?

Hon. Mr. LOUGHEED—I was assuming that the hon. gentleman could read the Bill.

Hon. Mr. CLORAN—I took the statement of the leader of the Government that the sole object of the Bill was to prevent importation from one province to the other.

Hon. Mr. EDWARDS—It seems to me we have listened to some long speeches this afternoon on the question of prohibition but from my standpoint the question of prohibition is not involved in this Bill. The question is simply this: If one province of Canada desires to exercise its rights so far as the prevention of the sale of liquor within the province is concerned, the provision is that the bordering province shall not join in defeating the objects which the people of that province have in view. That is the sole object of the Bill. So far as importation from a foreign country is concerned, it is within the province of the Dominion Government to hinder it. Legislation is not here required, because that question is purely within the jurisdiction of the Dominion Government, and they can do it any time.

Hon. Mr. DOMVILLE—No, they can not.

Hon. Mr. EDWARDS—The object of this Bill is to enact that any province desiring to exercise its right shall not be interfered with by another province and break the law. That is all that is in the Bill.

Hon. Mr. BOSTOCK—My hon. friend from Halifax has treated us to a long speech on this question of prohibition, and I must say I was rather surprised at some of his statements with regard to this legislation. I think the Bill is along right lines, in assisting the provinces to carry out the legislation that they may put on the statute book. As I understand it, this legislation does not go any further than the provinces go in their legislation. It does not give any further powers for dealing with the question. If a province desires to have total prohibition and to prevent the people of the province from using liquor in any shape or form, then this legislation will assist them, so far as bringing liquor from any place outside that province into the province is concerned. If they prefer to go in for a less drastic mode of dealing with the question, and in their legislation simply prevent the general public sale of liquor, then, it will not be a violation of the provincial law if liquor is shipped into the province for the purpose

of being used privately by individuals. In that way I understand this legislation is simply supplementary to the legislation that the provinces chose to enact, and it enables them to overcome a difficulty which they have found to be a very serious one for a considerable time. There is no doubt that just now there is a great temperance wave going over Canada, and especially I think in the West there is a decided feeling that something has to be done to prevent the abuse of liquor. By allowing the people of the provinces themselves to deal with this whole question, and enabling them to make their legislation thoroughly effective, the Government are taking the right step, so far as the principle of the Bill is concerned. Possibly when we go into Committee some questions may arise as to the actual wording of Bill that should be criticised. Some of the clauses are very drastic, and my hon. friend did not in any way discuss the actual details of the measure. I therefore shall not take them up at the present time, but when we go into Committee of the Whole, I hope we shall have a very full discussion of them, as I understand my hon. friend from Halifax to say that this legislation will prohibit the use of wine in the provinces, but as I tried to point out, I do not interpret the Act in that way. I think the difficulties that he pointed out do not arise under the Bill. I therefore do not see my way to supporting the amendement moved by my hon. friend from Halifax.

Hon. Mr. CHOQUETTE—If this were a prohibition Bill, I would not hesitate to vote against it, because I do not believe in prohibition; I do not think we can effect it in any province; but as this Bill is only to help the provinces which want prohibition to make their legislation effective, I think there is no harm in voting for it and let the Bill go to the Committee, but certainly clauses 4 and 5 are too severe. There are many who do not believe in prohibition for themselves who will vote for prohibition for others. I have heard people make speeches for prohibition for others, but they say, "Not for myself; I can take care of myself; I am speaking for others". If everybody took that view we would not want any prohibitory law; I have my great doubt whether this law can be passed by this Parliament. The point raised by the hon. member for De Lanaudière (Mr. Casgrain) based on section 121 of the British North American Act is very serious, and if I remember well I think the Hon. Mr. Doherty himself said to the House that he is doubtful if this Bill can be passed under the constitution—I think I saw that in the press and even in Hansard. I suppose that question will be raised by lawyers as soon as the law comes into force, so I am willing to vote for the second reading, because it is not a prohibition Bill, and because in Committee we may amend some of the clauses which I think are too severe.

Hon. Mr. DAVIS: I was rather amused by the speech of the hon. gentleman who has just taken his seat. He is opposed to prohibition, but he is quite willing to put it on somebody else. He has been talking about protecting minorities, and I am aware that there is quite a respectable minority in every one of those provinces opposed to legislation of this kind, still they are to be handed over to the wolves because it does not concern a certain gentleman who knows he is not going to be affected in his own province. He says, "All right, you can do as you like, it is not going to affect us". That sort of logic does not appeal to me. However, I want to say that I am going to support the amendment, simply because I have a good deal of experience in the workings of prohibition myself. I have had prohibition up in my country. When I went there away back in 1880 we had the most stringent prohibitory laws that you can imagine. We had a big force of mounted police to try to enforce the law, and what developed? Whisky peddlers and boot-leggers. A party brought a coffin into the country and was supposed to be burying his aunt, but the coffin was full of alcohol. The coffin was filled with stones and buried, and the whisky which it had contained was sold all through the district. We had whisky stills all over the country, from 1880 to 1885, until the people got absolutely disgusted with the whole business and went back to the license system. It is true this is not a prohibitive measure, it is merely giving the provinces the right to enforce prohibition within their own borders. I might say from our standpoint in Saskatchewan it will come in very handy. We have a system of our own there. We have not passed any prohibitory law; the Government simply abolished the bar, and the wholesale houses, and took over the business, and are running it themselves. They have been interfered with by outside competition from Manitoba and elsewhere. People sent down to Manitoba and brought liquor in, and in that way took away a certain amount of Government trade. Now

you are going to put it in the hands of the Government of Saskatchewan to establish an absolute monopoly, so that the people will have to buy from them no matter what the price or quality may be. Of course there are arguments in favour of abolishing the bar, and I agree that a bar-room is of very little use in any community. There are hundreds and thousands of men who would vote for abolishing the bar who would not vote for total prohibition. We do not need bar-rooms as long as we can go to the wholesale houses. I do not think the bar would be tolerated, and in the provinces where the bar has been abolished, I do not think they will be re-established, although the day when people can get liquor when they want it will come back again. I have observed the working of the laws out West. I have travelled all over North Dakota. Under their constitution no liquor is to be sold in the State. When I was there I got as much liquor as I could get in Manitoba or any other province. What about Maine? There was a self-appointed committee of 50 wealthy people who investigated the liquor business in Maine along social lines, and what was their report? They described the way liquor was sold in Maine—fellows travelling around the dock with tin cases in their pockets, containing villainous liquor. It is an impossibility to make any person temperate or moral by Act of Parliament. You may pass all the laws you like, but if the people are not behind them they are absolutely useless. I know a man in my own town who voted for prohibition when the plebiscite was taken 18 years ago. He had been selling liquor right along, and he turned out his whole staff to work for prohibition. I said: "Why did you do that." "Well," he said, "since the liquor license came in I have these fellows looking after me, and I have to keep so many rooms and keep people to attend to them, and I sell liquor for ten cents, and before the license system was adopted I got twenty-five cents a glass for it." He wanted to go back to the old system of boot-legging. The system was a failure, and will be a failure. We had the Scott Act and Dunkin Act adopted in places and afterwards repealed. We had the Scott Act in force in Dauphin, but in time the people were glad to get rid of it, because every barn and shed was a rendezvous and respectable people could not walk up and down the street without being annoyed. This Bill is not enacting prohibition; still, the principle is wrong, and I do not think the Dominion Government should have been stampeded into having anything to do with it. Let the provinces do as the did before. I am perfectly certain that the provinces will be wise enough not to take advantage of it, because as things are now there is a betterment of conditions in Saskatchewan, and probably also in Alberta, and Manitoba. But if you try to stop the traffic completely, you will have an army of whisky peddlars and smugglers making money out of it, no matter what you may do to stamp it out. If you made hanging the penalty for smuggling liquor, you would find men who would take the risk, but they would have to be paid in proportion to the risk, and the price would go up. You are going to create a class of men who will deal in liquor and take these risks, and you are going to spoil the betterment which might otherwise result.

Hon. Mr. BEIQUE—The hon. gentleman from De Lanaudière referred to a section of the British North America Act of 1867, and he thinks that under this section the constitutionality of this measure is doubtful. I think the matter is not governed by that section. That article is under the heading "Revenue, debts, assets and taxation," and is merely for the purpose of preventing the Federal Parliament, or any one province, from interfering with the free exports from one province to the other as far as taxation is concerned; in other words, to prevent a tax being imposed on imports from one province to another. The matter is governed I think by section 91 which says:

> It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons to make laws for the peace, order and good Government of Canada in relation to all matters not coming within the classes of subjects by this Act asigned exclusively to the legislature of the provinces.

The principle clearly enunciated by this article is this, that the plenary power rests with the Dominion Parliament, and is limited only to the extent mentioned in sections 92 and 93, which assign the powers of the legislatures of the province. In other words the provinces possess only the power enumerated, but the Dominion Parliament possesses all the powers except those delegated to the provinces. It would be an absurd thing, I think, to contend that the plenary powers are not vested either in the Dominion or in the province except this that the powers possessed by the Dominion or by the provinces cannot be exercised

against an Act which has been passed by the Imperial Parliament in the interests of the Empire at large. That is the only restriction which exists as a matter of fact, but outside of that restriction the powers are complete and the Dominion Parliament has the right to pass any law for the good government of the country, or on any subject whatever except such powers as are specially delegated to the local legislatures. So that I do not think there need be any apprehension as to the power of this Parliament to pass this legislation. I quite agree with the hon. gentleman from Ottawa in the statement which he has made that the present Bill does not involve the question of prohibition. It involves merely the question as to whether the power of the legislature, being limited as to its under the British North America Act, and the province being unable to guard itself from the danger that may arise through the importation of liquors in the province without the consent of the province, the Federal Parliament should come to their help, in order to protect or extend, so to speak, the autonomy of the province. Let us consider the question in this light; supposing that instead of having the confederation as we have it, that we had only a Federal Parliament, with all the legislative power vested in that Parliament. It would be open to the Federal Parliament to provide for the vote being taken in any of the provinces, and to ascertain whether in such provinces there would be a majority against or in favour of prohibition, would it be unreasonable or would it be reasonable for the Parliament to enact a law similar to this one in order to prevent the importation from one province to the other? This cannot be done by a province under the division of authority. It can only be done by the Federal Parliament. The principle of this intervention is not a new thing at all. We have it in the Temperance Act. Under the Temperance Act it is provided that—

> No person shall, except as in this part specially provided, by himself, his clerk, servant or agent, ship, bring or carry or cause to be shipped, brought or carried to or into any such county or city any intoxicating liquor.

Therefore under the Canada Temperance Act it is open to any electoral district or any county to prohibit the sale of liquor within the territory, and the moment prohibition is adopted by a popular vote then it is illegal, under the Federal Act, to ship liquor into that territory. Now the present Act, instead of dealing as the Temperance Act did, merely with districts in the province, deals with the whole province. Therefore the principle is the same, and the principle already exists in the Canada Temperance Act. I therefore submit it is but reasonable and in harmony with provincial autonomy, that when the people of a province deem it advisable to prohibit the sale of liquor, or the importation of liquor into the province, that the only power there is under the constitution to enable them to give effect to that desire be exercised in order that the wish of the people may be given effect to. There may be provinces where nine-tenths of the people or nineteen-twentieths of the people are in favour of prohibition, and would it be reasonable to contend that it would not be incumbent upon the Federal Parliament, in a case of that kind, to come to their aid, in order that effect might be given to the wish of those people. Therefore, for my part I shall vote against the amendment.

Hon. Mr. DANDURAND—In regard to the legislation which is now proposed, I first desire to say that I intend to vote against the amendment moved by the hon. gentleman from Halifax, because it is based upon the assumption that we are legislating in the direction of prohibition. With the other speakers who followed the hon. gentleman from Halifax, I feel that we are not called upon to endorse that principle. If I were called upon to express an opinion upon total prohibition, I confess I have not yet been brought up to the idea that total prohibition would be beneficial. Many countries have tried prohibition, and have tried temperance laws. My idea to-day is that we should perhaps try in this country a middle course. I would favour the prohibition of strong alcoholic beverages, but would allow the people in this country to use light wines and light beer containing a small proportion of alcohol, four or five per cent. My impression is that it would be worth trying in a country such as ours. I know of countries which are in our latitude, but I confess are in a more temperate zone, France, for instance, where absinthe, which is the beverage that people who are hard drinkers use, has lately been prohibited, but it would never enter the mind of France to prohibit the use of wine and beer. Prohibition, I repeat, is not the question which is involved in the present Bill. It has simply for its object the strengthening of

the effectiveness of provincial legislation, and to that extent I favour the policy which this Bill has in view. Nevertheless I must express my dissent from some of the methods adopted in this Bill to attain the object which is sought. It seems to me that there are two principles contained in clauses 4 and 5 which are heterodox. Clause 4 provides that the offender summoned before a court for having violated this Act, is held to be guilty until he has established his innocence. This principle is a very dangerous one, and I will ask this Senate to consider it seriously in committee before endorsing it.

Hon. Mr. BEIQUE—From the nature of the Bill such an enactment is necessary.

Hon. Mr. DANDURAND—I will draw attention to the second objection which I have and which bears upon the application of clause 5. This Bill creates several offences, and it creates among other offences the following. Clause 1 reads:

> Any person who shall send into any province any intoxicating liquors—

I am simply taking the essential words creating the offence.

> Any person who—
> (a) shall send into any province any intoxicating liquor knowing or intending that such intoxicating liquor will or shall be dealt with in violation of the law of the province into which such liquor shall be sent—
> shall be liable on summary conviction to a penalty to a fine for the offence of. . .

What is the offence? Any person who shall send in any province any intoxicating liquor knowing or intending that such intoxicating liquor shall be thereafter used in violation of the law shall be liable on summary conviction to a penalty. The offence is committed from the moment the party sends in the liquor knowing or intending it should be used in violation of the law. According to the principle governing our criminal law the party should stand his trial at the place where the offence was committed. Clause 5 enlarges upon this principle and says:

> Prosecutions of any offence under this Act may be brought and carried on and a conviction had in the city, town or other place from which any intoxicating liquor is sent, shipped, taken or carried as aforesaid, or in the city, town or other place to or into which such intoxicating liquor is so sent, shipped, taken, brought, carried or imported, or in the place in which the accused resides.

So that if there is prohibition in Quebec province, and none in Ontario the party sending liquor from Toronto to Montreal will be subject to the jurisdiction not only of the tribunals of his own town, Toronto, but under the jurisdiction of the foreign town, Montreal, where that liquor was sent. There is there, it seems to me, considerable danger in the application of this measure.

Hon. Mr. DAVID—If the liquor is sent by United States manufacturers what could happen?

Hon. Mr. DANDURAND—From the United States into Canada?

Hon. Mr. DAVID—Yes, how can we reach him?

Hon. Mr. DANDURAND—He cannot be reached. Then the law will only extend to the purchaser of the beverage.

Hon. Mr. LOUGHEED—Is that not the law as it stands to-day? Let us instance the case of, say, a counterfeiter. A man counterfeits money in Quebec, and sends that money for circulation to his agent in Ontario. You could prosecute him at either place, either in Quebec or Ontario. You could prosecute him in Quebec for issuing it.

Hon. Mr. DANDURAND—The offence is committed as well in the province where he does the counterfeiting, as in the place where he circulates it. This Act pretends to make it an offence to send, with the intention of being used, or knowing that this liquor will be used in violation of the law in a certain province. The offence is complete if these facts exists.

Hon. Mr. LOUGHEED—But the act must be completed.

Hon. Mr. DANDURAND—The simple fact of the liquor being sent and of it reaching the province will constitute an offence for which he can be prosecuted.

Hon. Mr. BEIQUE—But then the hon. member will notice that he cannot be prosecuted in the place which the liquor was intended to reach until it has reached there, if he does only the act of sending; but the shipment may be destroyed on the way then it does not reach the province; he can be prosecuted only in Toronto, for instance.

Hon. Mr. DANDURAND—He can then only be prosecuted in the place where the offence was committed——

Hon. Mr. BEIQUE—While I am on my feet I would put this question to the hon. gentleman: does he think that the Act would be workable if this provision contained in clause 5 were not there? In other words, would it be practicable for parties in the province of New Brunswick, for instance, to be obliged to go to Toronto or to the West for the purpose of reaching the party who has committed the offence, in order to enforce the law?

Hon. Mr. LOUGHEED—Would my hon. friend have any objection to adjourning the debate so that we may conclude the order paper and take it up to-morrow?

Hon. Mr. DANDURAND—I will finish. I will simply answer my hon. friend that clause 4 is so stringent, creating a presumption against the party himself, that it seems to me he is entitled to remain in his own jurisdiction. My further answer to the last query of my hon. friend I find in clause 8, which says:

When it is brought to the attention of the Minister of Justice that an offence against any of the provisions of this Act has been committed outside the boundaries of any province which has enacted legislation prohibiting or restricting the sale of intoxicating liquor, he may, if the evidence put before him be in his judgment sufficient, take such steps as may be deemed necessary to prosecute any person charged with such offence.

Hon. Mr. DAVID—What does the hon. member think of the man who is accused of having sent liquor into British Columbia, suppose a man from New Brunswick or Prince Edward Island? Will that man be obliged to go with his witnesses and defend himself in British Columbia?

Hon. Mr. DANDURAND—Under this law, yes.

Hon. Mr. McSWEENEY—I move the adjournment of the debate until to-morrow.

The motion was agreed to, and the debate was accordingly adjourned.

BILL INTRODUCED.

Bill (No. 91), An Act to amend the Government Railway Small Claims Act.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

Thursday, May 4, 1916.

The SPEAKER took the Chair at Three o'clock.,

Prayers and routine proceedings.

THE FERRY BETWEEN QUEBEC AND POINT LEVIS.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. What is the cost to date of the car ferry—called I believe the Leonard, plying between Quebec and Point Lévis?
2. How many trips across the river did this ferry make in the month of January, 1916?
3. How many during February?
4. How many cars were carried across the river during these two months?
5. What was the cost of operation during these two months?
6. What was the cost per car for ferriage?

Hon. Mr. LOUGHEED—The following are the answers to the hon. gentleman's inquiries:

1. $601,231.03.
2. 62.
3. 65.
4. 904 cars and 9 engines, in January; 883 cars and 2 engines, in February.
5. January, $4,839.32; February, $4,828.85.
6. $5.37 per car.

REGISTRATION FOR CANADA.

INQUIRY.

Brigadier-General the Hon. Mr. MASON rose to

Call the attention of the Senate to the unsatisfactory results attending the present methods of recruiting in Canada. The supply of men who are eligible and who are willing to enlist is fast becoming exhausted, and of the men who are offering themselves for enlistment a large proportion is rejected for physical reasons, thus entailing much unnecessary trouble and expense. Some of the important industries of the country are suffering seriously on account of the depletion of their employees who have patriotically enlisted for service overseas, and that further demands are being made for recruits, and this depletion is continuing and will continue.

It is apparent that a very large number of men of military age and who can be spared, without interfering with those industries essential to the progress and welfare of the country, and the affording of the assistance Canada is expected to render in the successful prosecution of the war, are not enlisting, and are plainly shirking their duty in this great emergency.

And inquire, what, if any, steps the Government is taking or contemplating to overcome and remedy this existing evil by adopting some system of registration whereby all the men of

the Dominion of military age will be classified according to their fitness and suitability for service.

He said: When I addressed this hon. House some six or seven weeks ago on the subject of recruiting, I drew attention to the inequalities and the inequitable results arising from the methods then in use. With a view of endeavouring to remedy those inequalities I gave this notice of motion, and I shall endeavour to furnish proofs of the statements it contains, and as it is inevitable that they should consist largely of figures, I trust the House will bear with me patiently while I endeavour to prove my case. The first item I take up is the recruiting results up to the 31st March last. In doing so I am dealing with the census returns of 1911, and confining the figures to the males between the ages of 18 and 45, what we call the military age. I find, as a result of inquiries made at headquarters and from the census return, that we have males between those ages in Canada, what I call English born—I make a distinction between those descended from the natives of Great Britain and Ireland and the French born.

Hon. Mr. DANIEL—The hon. gentleman means those born on the other side.

Brigadier-General the Hon. Mr. MASON—Descended from British stock but born in Canada. Their parents or grandparents were born in the the United Kingdom. I describe the French born in Lower Canada or Quebec as descended from those who came from France generations ago. Then I describe the United Kingdom or British born, immigrants from the United Kingdom. Then the foreign born, all other nationalities. Basing my estimates upon a population of Canada of about 7,000,000, which is very nearly the correct number, I find that the foreign born amount to a million and a quarter. Born in the United Kingdom about a million, that would leave five millions. I divide that into two parts, the French Canadian born two millions, and the English Canadian born about three millions. Then I have the exact figures of all the single and married men of military age in Canada, divided in the way I stated into those three classes, or I might say four classes. There is no doubt about the exact figures regarding the United Kingdom born and foreign born. They are given in the census return. I have to estimate the divisions and divide as near as I can the remainder, consisting of English born and French born. I estimate the French born as being two-fifths of the five millions and the remaining three-fifths English born. The following table shows the numbers:

—	Census of 1911 Total Males 18–45.	Enlisted.	Proportion of Number Enlisted to Total Number.	Proportion as to Total Enlistments.
Canadian-born (English)	667,000	85,000	About 13%	28½%
Canadian-born (French)	445,000	12,000	About 3%	4%
		(This includes French Batt'ns and all French names of other batt'ns.)		
United Kingdom or British-born	307,000	180,000	60%	61%
Foreign-born	306,000	18,000	6%	6%
Total Enlistments to March 31, 1916		295,000		

Racial Proportion of Population.		Total Males 18–45.	Of which	
French-Canadian	2,000,000	445,000	1,112,000	⅖ French.
English-Canadian	3,000,000	667,000		
United Kingdom-born	1,000,000	307,000		⅗ English.
Foreign	1,250,000	306,000		
Total		1,725,000		

Hon. Mr. POWER—Would the hon. gentleman be good enough to tell us to what date those lists are made up?

Brigadier-General the Hon. Mr. MASON—To March 31, 1916. Now I have stated in my notice of motion that the recruiting is unsatisfactory, that it is largely confined to certain parts of the country and to certain industries of this country. I shall endeavour to prove that by some correspondence. I trust you will bear with me patiently while I read it, because if you have the information that I possess, I think you will see the question as I do.

Hon. Mr. MITCHELL—Is the number of enlistments calculated on the population?

Brigadier-General the Hon. Mr. MASON—On the population. I have taken the ages from 18 to 45, according to the last census.

Hon. Mr. MITCHELL—Did you reckon about two millions and three millions?

Brigadier-General the Hon. Mr. MASON—Yes.

Hon. Mr. MITCHELL—Well, there would not be as many of military age in Quebec, for they have larger families.

Brigadier-General the Hon. Mr. MASON—The first letter I propose to read is one I received from Lord Shaughnessy, to whom I sent a copy of my speech on recruiting. The following are extracts from that letter:

I think that most people now understand that my purpose was not to discourage recruiting, but to have it conducted on correct, methodical lines, instead of the hap-hazard methods in vogue at present.

I am sure that all the men requisite could be secured as rapidly as they could be utilized to advantage, and, at the same time, something like co-ordination between our military, industrial and agricultural necessities could be brought into effect. This was the purpose of my remarks.

I have here a letter from the General Manager of one of our very largest banks; I need not mention his name. He says:

You will be interested in hearing that thirty-eight men out of every 100 men in our service are with the colours; that this percentage is increasing daily; that the percentage of men of military age is about forty-seven and that in our London office we have lost, or will lose presently, a hundred men out of a nominal roll of one hundred and seven.

That is in London, England, which shows the necessities of the case in England. I have a letter here from the General Manager of the Dominion Steel Corporation, Mr. J. H. McDougall. He says:

I notice that you quote from the "Toronto Star" a reference to the "present indiscriminate methods of recruiting to which officers receiving no official assistance from the state are restricted, large numbers who ought to enlist are not doing so", and that, elsewhere, employers are losing the very men they cannot get along without.

This exactly describes the situation here, where the recruiting has been very largely concentrated upon mine employees, while at the same time enlistments from the country districts have been very few in number. It may interest you to know that out of about 2,400 enlistments, from among the employees of the Dominion Coal Company, at least 2,200 have been from among the workmen employed underground. You will see, therefore, that the indiscriminate methods of recruiting, to which you call attention, have resulted in a very discriminating choice of men, whose labour in indispensable to the production of coal.

We consider that coal is the chief munition of war, and in both Great Britain and France, as you are doubtless aware, the enlistment of miners has been discontinued since the early months of the war. In some cases, the authorities have gone so far as to send miners back from the front and you may also have heard that a number from British Columbia were gathered together, by English agents, and sent over to the Old Country to work in the mines there.

The situation in this respect is serious and Mr. McDougall's view is confirmed by Mr. Thomas Cantley, president and general manager of the Nova Scotia Steel and Coal Company of New Glasgow. In a letter dated April 24, he says:

"The total number of our employees who have enlisted since the beginning of the war up to the present time, we have reason to believe exceeds 1,200 and this out of a total in round figures of 6,000 employees. About one half of the total number are coal miners of Sydney Mines and the situation in that department at the moment is exceedingly serious".

Mr. (Colonel) Cantley has recently written to the chairman of the Provincial Recruiting Committee that:

"The situation is urgent, the needs of the War Office imperative, and if we are to meet our obligations so far as munition steel is concerned, it is absolutely essential that further enlistment at Sydney Mines should be discontinued forthwith."

I made inquiries from the secretary of the Canadian Manufacturers Association, office in Toronto, and he furnished me some information which I shall proceed to read. He writes this way:

"One of the chief causes of complaint from manufacturers some months ago was that the voluntary system of enlistment afforded them no protection in regard to men whose services were highly important if not actually indispensable to their industries. They might have in their employ two men who would make equally good soldiers, but who would both have to be put through a course of training before they would be qualified to go into the trenches. One of those men might be an unskilled workman.

earning perhaps $2 a day; the other might be a highly skilled mechanic earning $5 or $6 a day. The former if he enlisted could be replaced without much difficulty, but if the latter enlisted his place could only be filled by robbing some other employer or by bringing a man from the United States, perhaps in violation of the Alien Labour Law.

This form of complaint is not heard so much of now, for the reason that recruiting has been so brisk for some months past, and recruiting effort has been so concentrated on industrial establishments, that there are now very few men left in factories, particularly in some sections of Ontario, who would be eligible for service. For this reason a scheme of national registration if introduced now would, so far as manufacturers are concerned, be almost another case of locking the stable after the horse was stolen.

As a result of the large number of men who have been drafted for overseas service, labour has become very scarce. The situation has been very acute all winter, but now that spring has arrived it is growing more so, because of the opening up of outdoor employment, navigation, etc. In the first few months of the war the situation was quite different; large numbers of men were out of employment, and it was the general expectation that huge sums would have to be raised for charitable work, but there is now no excuse for any able-bodied man being out of work. The Toronto Evening Telegram for Saturday April 16 contained nearly thirteen columns of advertisements for mechanics and male help wanted. Almost any day the Globe and the Mail and Emp'r will carry two columns of similar advertisements, as against one quarter of that space two years ago.

Since dictating the above I have been able to get some further information indicating rather interesting conditions in some of the Hamilton factories.

The International Harvester Company are working 1,200 men whereas they could give employment to 400 more if men were available. Some of their departments are entirely depleted, one having only 2 out of 14 men, the rest having enlisted. They state that they are away behind with their production.

The American Can Company normally employ 250 of whom 100 are women and 150 men. From their male employees 100 or ⅔ of their entire male staff have enlisted. They could now use 50 or 60 more men to advantage if they could get them, but the men are not available. They state they are very far behind with their orders.

Mr. Westren of the Dunlop Tire and Rubber Goods Company, Toronto, states that 260 men have been enlisted from his establishment, out of a normal pay-roll of about 700. He has never refused recruiting sergeants permission to go through the place, and time and again they have taken some of his best men. He claims to have advertised all over Canada, and now he is forced to advertise in the United States and to bring foreigners in to do the work which he is unable to get Canadians to do. He says:

The fundamental operation in a rubber factory is what is known as mixing. Normally he keeps his mixing mills running day and night, twelve men to a shift, and on the production of these twenty-four men the work of nearly seven hundred men and women operators depends. Before a man can be a proficient mixer he ought to have several months' training. Every trained mixer in the Dunlop plant has been taken away and now they have not a single man on this class of work who has been with them more than two weeks, that is to say who has had more than two weeks' experience. Ordinarily they would have only one man to a mill, now they feel that they must have two in order to be in a position to keep things moving should any of the present operators enlist.

Mr. Westren also states that the record of accidents in his factory shows three times as many casualties in any given time, as occurred during a similar time before the war, simply due to the necessity of constantly breaking in new labour on processes that are more or less hazardous. This of course will mean an increased burden to carry the cost of workmen's compensation insurance.

Mr. Hewitt, general manager of the Consumers' Gas Company, of Toronto, says:

In one department out of 139 male employees, 74 are on active service, representing 53 per cent. In another department out of 165 male employees, 87 are on active service, representing 52 per cent. I think it is safe for me to say further, that of those who have enlisted about 60 per cent are married men, and in many cases families of from 6 to 12 children have been left behind.

The Bawden Machine Company, of Toronto, in a letter, states a purely industrial point of view:

Replying to yours of the 22nd, would state that we are being reduced each week in our shop by recruiting, and the worst of it is that they are trained mechanics that cannot be procured again and in our line cannot be trained to be of any use in less than 3 to 5 years.

The Engine Works Company writes:

In reply to yours of the 18th inst., re enlisting munition workers; we are not losing as many men as we did, as we have not as many to lose, and the recruiting officers may not be quite as aggressive in going after our men as heretofore. Certainly, a great deal of care should be exercised now in taking expert men, if it is desirable that Canada should continue its work of making munitions.

Also, in another letter:

I might say with reference to the general situation in Brantford, there have been so many men recruited here that it has left us very short of workmen. In our shell work we are employing men almost entirely for the actual operations who have previously had no experience in this class of work. We require, however, in order to keep these men at work, the machines in repair, the tools on which they work, and tools, such as reamers, etc., with

which to work, a number of expert mechanics. These are extremely scarce.

Besides losing mechanics and general workmen, we have lost most of our draftsmen and Cost Department clerks.

The same company says in writing to a customer:

Your favour of 28th inst. received, being order No. 9647. In reply we beg to advise that owing to enlistment mainly, our staff of hands has been continuously reducing, having to this date reached a point representing less than 50 per cent of that required to handle the work already upon our books, shipment of which will very likely have to be cancelled on account of our inability to produce same in time.

As situated, we are compelled to decline your order 9647, and have filed same as cancelled.

The Company, writes:

The last time we had a visit from the recruiting officers, we told them distinctly that they could not take any more men out of our shops; that we would protest against any men coming around the place. It interfered with the output of the Shell Department, and of our other departments. We are now 100 men short.

The Company writes:

Answering your letter of the 22nd, we have not as yet had much trouble in the shell end, but in connection with the component parts that we are making we change the men almost every three days.

We do not know whether any deception has been practised by the Recruiting Officers or not, but they stand outside of our gate—six to twelve at a time—and stop men and drive them into the Recruiting Office. We would not care if they only took the young men, but they take away men who have small wives and big families.

The Company writes:

The number of men enlisting has certainly interfered with our production, both of forgings and finished shells, but it has done this more because there are no idle men to take the place of those that enlist so that our staffs are running short handed.

Another company in writes as follows:

We have yours of the 22nd in regard to recruiting. For some time we were bothered a great deal by the recruiting in the city, and we have lost several of our employees, but we got up a special list of mechanics whom we cannot do without in connection with shell work and we gave this list both to the local Militia Department and also to the Militia Department at Guelph, and we believe they are now taking special care not to enlist these men. The list we gave only comprised about 25 per cent of our total employees.

There is a concern called the Penman Company, well known throughout Canada, whose experience is as follows:

Out of the Penman's male employees at Mill No. 1. Paris Ont., of 150, 70 enlisted.

Out of their 347 male employees at St. Hyacinthe 1 enlisted.

I have something that might interest the hon. senators from the West; it is about recruiting from three Prairie Provinces. This might account for the complaint that too many men have been taken from their farming occupations.

Hon. Mr. BEIQUE—May I ask whether the hon. gentleman has inquired of the Farmers Association what the conditions are in regard to farm work?

Brigadier-General the Hon. Mr. MASON—I have not. Those figures are taken from the census returns and from the Department of Militia returns. The following is a memorandum showing that enlistment in the three Prairie Provinces is not equitable and gives reasonable ground for complaint that too any men are taken from the farming occupations:

Province	Canadian born.	British born.	Foreign born	Totals.
Manitoba... ..	50,000	39,000	33,000	122,000
Enlistments to 31st March, 1916.	12,000	23,000	3,000	38,000
Sackatchewan.	61,000	39,000	59,000	158,000
Enlistments to 31st March, 1916..	5,600	10,400	1,000	17,000
Alberta	37,000	32,000	53,000	122,000
Enlistments to 31st March, 1916..	9,000	16,400	1,600	27,000

Regarding recruiting in England I quoted some figures that were given by Lord Derby who had charge of recruiting for about seven weeks ending about the end of December last. He said there were available men of military age in England at that time about five millions married and single, and of those five millions, three millions came forward to enlist and to be attested. That apparently would be quite satisfactory, three-fifths of the whole, but evidently they are not satisfied there, because as we all know they have been talking conscription in England ever since that period, and there were decided objections to it on the part of a great many people in England. The labour unions were against it, and many cabinet ministers and members of Parliament opposed it. As late as April 25, only a few days ago, the Toronto Globe published the following:

Premier Asquith stated that recruiting up to date had been short of the requirement necessary to our proper military efforts. He stated that the Government had determined upon three proposals, as follows:

(1) Prolongation to the end of the war of the service of time-expired men.

(2) To empower the military to transfer territorials to any unit in which they were needed.

(3) To render exempted men liable for service immediately upon the expiration of their certificates of exemption.

With a view to their ultimate addition to its forces, the Government proposes to conscript youths under eighteen years of age on August 15 as soon as they have reached the age of eighteen.

The date fixed was the 27th May, but it appears they cannot wait until that date because we see the following paragraph in this morning's paper:

The Government's military Bill for immediate general compulsion passed its first reading in the House of Commons to-day. Its passage was loudly cheered.

Speaking with reference to the provisions of the Bill Premier Asquith said that youths reaching the age of 18 would be given a month's grace to enlist voluntarily. The same exemptions would be given as under the original Bill.

A special reserve will be formed of men continuing in civil employment, who will be immediately available for service in case of emergency.

George Nicoll Barnes, one of the labour leaders in the House, expressed strong approval of the measure. He said that if the country had known the task in front of the Allies 18 months ago it would have accepted compulsory service then.

That is the condition of things in England where they are familiar with the position of the war and its probable outcome—more so than people out here. One of the elements strongly opposed to conscription was the labour element. I have here extracts from speeches of the Right Hon. A. J. Balfour, the Right Hon. A. Henderson, labour leader, and Right Hon. A. Bonar Law. They are as follows:

Right Hon. A. J. Balfour, January 6, 1916:

But this I can inform everybody for what it is worth: there is not one member of the Government who does not hold that this Bill is a Bill essential for the proper carrying on of the War. If the House refuses this Bill to the Government, they are refusing to the Government what the Government are clearly of opinion is a military necessity.

Right Hon. A. Henderson, labour leader, January 20, 1916:

My opinions have not changed but they have been overborne by the conviction that some measure of compulsion is required on grounds of absolute military necessity. I have not reached that conclusion lightly or without the most anxious consideration of all possible alternatives, but in the end I found it impossible to resist the conclusion that unless the Bill proposed by the Government were introduced and passed we could not continue the war with any prospect of either a successful or speedy termination. I saw Lord Kitchener, and received from him the most definite and emphatic assurance that military necessity required the enrolment, not only of the single men attested under the group system, and not only of all the married men whose enlistment was dependent on the passing of the Bill, but also of all the men, be they many or few, who are available from the 651,000 unattested single men, and even so there will be a margin left to be covered by voluntary enlistment.

Right Hon. A. Bonar Law, January 5, 1916:

I say to those who are opposed to the Bill, let them realize that the Government as a whole have come not hastily, Heaven knows, but deliberately to the conclusion that this is necessary to win the war, and that a responsibility as great as that which rests upon the Government rests upon every member of this House who attempts to thwart us in the efforts we are making.

The condition in England seems to look rather serious, as evidenced by the adoption of the conscription plan, and to show how similar the conditions over there were to the conditions now in Canada, I shall read an extract dated as far back as September, 1915, published by Lord Milner in the Empire Review. In describing the condition which makes registration imperative, he says:

The appeals for fresh recruits are getting more and more frantic—the means adopted to put the screw on those who still hang back less and less scrupulous. The recruiters in their desperation are getting more and more reckless whom they take, so that the number of obviously unfit people who are enlisted and at considerable expense trained, armed, equipped and sent abroad only to be sent back again, is increasing. Since recruiting must perforce go on at full speed, can it ever be too late to have a rational system, based on equality of obligation, instead of the present hap-hazard one? That hap-hazard system is not only inefficient and inequitable, it is fearfully wasteful. Owing to the undue proportion of married men drawn to the colours, we are paying forty million pounds a year in separation allowances alone.

This is the state of things here to a great extent, and I suggest that we adopt the remedy that was applied in England, registration. In Australia and New Zealand the conditions are somewhat similar. In Australia they are coming to the conclusion that they must have conscription. Mr. Watt, ex-Premier of Victoria, stated the other day that he would support this policy, while the Melbourne Age—one of the three great Australian papers—stated on April 5, that: "The farcically inept voluntary system must be discarded, and compulsory national service adopted and enforced." In New Zealand the introduction of a Compulsory Service Bill is considered certain at the coming session of Parliament.

The Ontario Government and Opposition have recognized the importance of the subject and a Bill presented by Dr. Forbes Godfrey—afterwards withdrawn as touching on Dominion ground—embodied for the province of Ontario the terms of the British Registration Bill, while a Select Committee has been appointed by the Provincial Legislature and Government to inquire into and report as to the further assistance which this province can render in securing such organization of our resources, particularly in assisting in the work of recruiting men for the Canadian Expeditionary Force, insuring a sufficient supply of labour for the agricultural interest and the necessary industrial operations of the province, and in promoting thrift and economy among the people.

The following memorial speaks for itself. It was endorsed by 47 recruiting leagues in the various provinces of the Dominion.

To the Dominion Government passed by the Hamilton Recruiting League, March 7, 1916 and unanimously endorsed by a mass meeting of citizens of Hamilton held on 24th March, 1916.

Whereas, this Dominion is engaged in a war involving the very existence of British institutions—a war that calls for the most rigid economy of men and means—a war that can be successfully concluded only by the fullest utilization of all our resources.

Whereas, under the present voluntary system there is great waste of the nation's resources.

The Hamilton Recruiting League humbly begs the Government of Canada to appoint a Commission for the purpose of:

(a) Taking a census of all men in the Dominion from 18 years of age and upward, specifying those married and unmarried.

(b) Classifying the men according to their occupations or their fitness or preference for certain kinds of work.

(c) Classifying the industries with a view to the restriction or the ultimate elimination of such as are essential to the welfare of the country or are not economic factors.

(d) It being understood that the foregoing is urged with a view to the immediate application of some just and comprehensive system of draft whereby the men necessary to complete the Canadian Expeditionary forces may be readily secured.

With regard to the prospects it is hardly necessary for me to make any reference to that subject because the information is public. Everybody has the information in regard to the war situation, but I think I might safely say that it affects different people in different ways. If a man has an interest in the war, or a relative at the front, or if it interferes with his business either profitably or the reverse, he takes more note of what is going on.

If none of those conditions apply to that man, his interest is less keen, he is more or less indifferent, and he does not realize, perhaps, as much as the other man the necessity of prosecuting and using every possible means of bringing the war to its proper conclusion; so that what I am saying may not have the effect that I should like to see produced, but I hope it may. I think it is pretty well understood that the plan of registration adopted in England was a very extensive one; every one of both sexes from 15 to 65 was registered, so that from the returns in the hands of the authorities they were familiar with the age, condition and occupation of all inhabitants of both sexes of those ages. What I would propose for Canada would simply be a registration of all men of military age, from 18 to 45, and have them divided into classes so that men would be classified according to their ability to serve at the front, or the necessity for them remaining at home for war purposes or other purposes of the country. I would not go as far as they have gone in England, because that is both expensive and extensive, more so I think than was necessary; but I would like to see registration adopted along the lines I have just stated. The effect would be, as Lord Milner states there, economy; men would not be allowed to offer themselves if the nature of their occupation rendered it necessary that they should remain in the country. On the other hand, men who are eligible for service, physically fit, but unwilling to go, would be urged to enlist, and the recruiting officer, having lists of those ear-marked men, as I might call them, would know to whom to go and whom to let alone. That would be a great saving of time and expense, and would get rid of what I might call the present very unseemly scramble for men, which is evident everywhere, the results of which, as you know, are not very creditable. It is quite safe to say that now from 25 to 50 per cent of the men offering are rejected, not because there are not enough men but because those men who should offer are holding back. Before closing my remarks, I should just like to say a word regarding the Militia Department and the wonderful work it has done in Canada. As was stated the other day by the Prime Minister—and if you have not read the Hansard report you will be interested in reading there what he said—under our system in Canada the headquarters staff and the other necessary adjuncts to the Militia Department were simply to take care of some 3,000 or 4,000 of what we call the permanent corps, and the active militia of perhaps 50,000 or 60,000

who were trained, or partly trained, for 12 days in camp or days at their corps' headquarters. Suddenly, without any warning, that department of the Government was called upon to provide an army to take part in this war to defend the Empire in a very great emergency, and we see what they have done. There is an enlisted army of Canadian soldiers now reaching 300,000. Those men had to be clothed and equipped, trained, fed, taken care of, and transported many of them across the ocean and all over the country. That that has been done without any loss of life so far, thank Providence, and without disturbing more than we know it has disturbed the business of the country, is greatly to the credit of the Militia Department. I should like to say one more word on a similar subject, that is the good work done by the Finance Department. That department was called upon, like the other, to take care of the conditions that arose so quickly upon the declaration of war between England and Germany. I remember very well that on the 4th August war was declared, and in the papers on the morning of the 5th August I saw it stated that it had been decided by resolution, or motion, or the act of the Governor General in Council, that a bank note was a legal tender. That in itself did not seem very much, but it meant very much to the financial institutions of Canada. The result was this. Individuals at every bank all over the country, when they heard that war was declared, instantly thought of taking their money from the bank and keeping it at home stuck in an old stocking or something else, and they went to the banks with their bank-books and asked that the deposit be paid in gold. They were told by the tellers that a bank note was legal tender. Up to that time it had not been a legal tender, but it had to be redeemed in gold. I know in my own experience, in most cases those depositors said, "Well, we do not want your bank bills, you can just keep our money where it is." That was done in hundreds and hundreds of cases in Canada. If that declaration had not been made so promptly by the Finance Department, we would have had serious trouble in Canada immediately on the outbreak of war. In addition to that, the Finance Department intimated to the banks that they might borrow money from the Government on good security to take care of their customers. The financing of the war expenses that grew so enormously was a problem which was satisfactorily solved by the Finance Minister. I feel that I should not conclude my remarks without referring to those two departments. Just one other matter I should like to speak of. Some little time ago a member of this hon. House saw fit to read a letter that he had received from a correspondent in Toronto reflecting seriously on a certain class of the population, upon everything that goes to make a man manly. I do not know what his idea was in having that letter read or published. Some people are uncharitable enough to think that he did it so that the matter would be known all over the country, the contents and the opinions of this individual. However, the letter was read. In connection with the reading of that letter my name was mentioned, and I think it was a most unwarrantable liberty to take with my name. During the Northwest rebellion in 1885, I was a captain of the Grenadiers commanding one of the service companies in the Northwest. Attached to that regiment was the usual small ambulance corps, about a dozen men, and the non-commissioned officer in charge was this Robert Hazelton. That is all I knew about him. He was looked upon as a respectable man, but I have lost sight of him for many years. I see by the Senate Debates that I am reported as having stated to a member of this hon. House that Hazelton was a first-class man and a lieutenant in my regiment. All that I can say was that he was not a lieutenant, that he was a sergeant, and that I have not seen the man for many years.

Hon. Mr. DOMVILLE—I have not heard what my hon. friend the General has had to say, but I have no doubt it is all right. This recruiting, taken in a proper line, is peculiar. I think anybody attacking the Government or the department just now is out of order, because we don't know how things are going to be and I don't think it is our duty to indulge in undue criticism or to mind what the newspapers say. Unfortunately, we are in a terrible war, and our people, for the most part, are trying to do their best, some certainly, who should be to the front and who wear His Majesty's uniform to-day, do not go, but they talk a great deal, talk war, talk United Empire Loyalists and all sorts of funny things. I think the question of enlistment has been very largely one of officers, not men. I know lots of men who would go, but they are not prepared to serve under mushroom officers who don't know their duty. An officer, to be a good

officer, must be trained, not picked up politically or otherwise because he has an uncle or an aunt or somebody connected with the titled people we have around. I am speaking now more particularly of my own province. I see young men who could go and who would go but they look at it in this way, "If we are going to risk our lives, if we are going to die for our country and for the Empire, we will not go out under the officers that are thrust before us to serve under." They are more afraid of their officers than they are of the enemy. I think that may apply a great deal all over, from what I hear around. The whole thing is very pretty, I have no doubt; lots of officers. My hon. friend the Colonel (Hon. Mr. Casgrain) is laughing at me. Well, I am not a young man like him, and he should have gone to the front, for he is a colonel. I tried to go, but I am off color. I tried to urge that it was well to have some intelligence in the ranks, even if my years were passing quickly. Of course I got a very handsome letter from those in command saying they really thought very well of my offer, but—but—I offered to do the whole work of organizing in New Brunswick for nothing, absolutely nothing. I could do it, too. There they have got new men around the playground with daggers and uniform; my heavens, the generals that are out—I am not referring to my hon. friend now, for he won his colours on the battlefield, which I did not; I did my own little bit in my own little way. Talk about people going to the front; we have our people to the front right out of my own home, and the dearest piece of goods I have got, one of my daughters, has been there since the first. I don't see her name dragged through the papers all the time, for we do not allow it. They may be trying General Hughes, I don't know, but I will pay him his credit, that he is a hustler. It is true he had lots behind him to hustle with, but there are many people who might have been in a similar position who would not have done the hustling he did. Mistakes will occur, and when we know that there has been wrong-doing it will be time to find fault. But this enlisting is a very serious question. If we believe what we read in English papers and elsewhere as to what is wanted, then Canada should in some intelligent way take hold of the position and see where we are going to get recruits from. They are certainly not coming forward to any extent as things are to-day. They certainly must see a better chance of coming out with their lives, and they may be pardoned largely if they fail to recognize the important military commanders we have, or that would be. I have been at this militia business for 40 years, and there has always been this trouble of the headquarters. A staff is absolutely necessary, because if you have not the staff to conduct the detail how is the thing to move along? But I pointed out years ago that we should be training officers all the time for command; they have been through the regiments, and in some way or other, by a good-staffed college, or whatever it may be, we should be training those officers to know how to act when the time of emergency comes, so that they would not go into the field, as we know they do to-day, largely unfitted for the great positions they are accepting. I do not want to make any invidious distinctions, but they take a man out of an office and trot him out and make him a colonel. What does he know about war? His intentions may be good, but that does not make him an eminent soldier; that does not make him fit to meet the enemy in the field. He may have intelligence, but he must know how to employ it, and that is only to be attained by training. This headquarters staff is composed of very nice men. My hon. friend knows they have an official age. Under the Act they should go at a certain time, but they give in their age, which is the official age and not the family age, and therefore we have a headquarters staff which, however good they may be, should be largely replaced by soldiers of the day who have had some training. I suppose I am responsible for this question of generals. In the House of Commons I had the Act amended, because I saw there that there was no chance of one of our officers commanding the militia of Canada; they were barred, because it read that it must be an Imperial officer. I thought if our men like Girouard went to the front and earned distinction they should have a chance with their knowledge and experience to come here and command the militia of Canada, and that we should not have to accept anything that might be given us here from abroad. Besides, it was a question of employment and emolument. The amendment to the Act says that they may appoint a general to command the militia of Canada, and that a man who has done work which places him in a

similar position of command on staff duties when he retires may be allowed to retire with the rank of Major-General. Now, there is nothing in it about any other general; how they got at it I do not know, or where the authority comes from to make these generals. And what services have they rendered ? There is where the mistake is, and how are we to get around it? If this country needs men we want men up to the age, who know all the tricks and arts of warfare, not men selected because they may have influence or position, or because they may have done good service to the country in a political way. I hope the few words I am saying will reach the country, that in the future we must have an army trained to fight if trouble should arise. Canada must wake up to the importance of putting the whole system of militia on a proper footing. I tried to amend the Act and abolish the word militia, and make it read Canada land forces. We should get rid of that name militia. We must look forward to a very much greater Canada than we have to-day, and we must preserve the rights of the country and have a force that we can place before the world as a fighting force. But it is a difficult thing to say where the tax payer will stand. He may demand that the whole thing be wiped out. However, you have to face the question of a small standing army, properly trained, and not a mushroom army such as we might have. I have no fault to find with the policy that has been pursued, but I regret that since the war came on we should be forced to the unfortunate position of sending our people to the front. What they want in the trenches is mostly to dig themselves under cover; to be able to shoot an enemy when he comes along, trusting more to the shot and shell than to the words dealt out to them by people who claim they can save them. Chaplains have left their churches and gone to the front. They are getting paid for their services while on the other side. I am not finding fault with the clergy who go to the front. I heard that there were eight or ten thousand priests at the front doing duty, and without having their photographs in the paper, they were willing to die for their country. As one member of the community having had some experience in such matters, I trust we may get our land force into a better position, and not have it simply a matter of political influence. Let the men go to the front, but let them be assured that the officers know their duty and are able to lead them. What we want is men qualified to lead them and not to sport their colours.

Hon. Mr. CHOQUETTE—I might say a word on the motion of my hon. friend, which motion supports the views I have expressed in this House. I have not a word to say about the little lecture he gave us. I rather congratulate him. He has given very important facts and I agree pretty much with him in what he has said, especially when in his resolution he says: "that he will call the attention of the Senate to the unsatisfactory method attending the present methods of recruiting in Canada." I do not blame the recruiting agents or the Government so much for that. He is going further than I do, and I hope that he will not be abused as I have been for telling the truth. He says further in his inquiry:

> The supply of men who are eligible and who are willing to enlist is fast becoming exhausted, and of the men who are offering themselves for enlistment a large proportion is rejected for physical reasons, thus entailing much unnecessary trouble and expense.

I neither did go so far as that. I cited some special battalions in which applicants had been rejected, to the extent of 75 per cent. My hon. friend has also referred to the Hazelton letter. I do not hesitate, as I said the other day, in view of all that has happened, and of the very wrong interpretation put upon my speech and on this letter, to say that I regret having that letter read, though I took steps to obtain information as to the standing of the writer. I was told that he was a lieutenant, but my hon. friend says he is only a sergeant. I may have misunderstood him, but it makes no difference, as I went to my hon. friend and asked him about the character of this man, and he gave him best of certificate. My hon. friend has read letters, and I am sure he has not taken similar precaution before reading them; therefore I do not see why abuse has been heaped upon me when I did not say as much as the hon. gentleman has said. Another point, I have been reproached in this House by my hon. friend from St. John for having said that I attacked the soldiers. He cited a few words of my speech in the unrevised edition to the effect that I said "there was no recruiting of good men in Toronto," and then he concluded by saying that I was attacking the soldiers. Surely my hon. friend must be intelligent enough—at least I take him as having some intelligence—

taking the speech without any correction, to have seen that I was simply referring to the rejection of the recruits according to the Mail, and I have in my hand the correction, as I told him the other day—I had in my hand the correction I made before sending my speech to some papers. Instead of the expression, "I see by the papers," the correction was, "I see by this paper," referring to the Mail, "that they do not recruit good men in Toronto." The next sentence, if my hon. friend had been sincere, would have explained the matter, because I added that not one-third of the men who had applied had passed examination. Out of 1,700 men two-thirds had been rejected.

When reading over that speech he must have seen that I was referring, I repeat, to the Mail and Empire in saying that two-thirds of the men were rejected. There was not a word about the soldiers. Yet my hon. friend accused me of having made an attack on them. How is it I have been so abused? When we saw not long ago Sir Herbert Holt in Montreal, just after his return from England, abusing in the strongest way Lord Kitchener, the head of the Army in our Mother Country, and accusing the British Government of being rotten, not a word was said against him—was it because it was Sir Herbert Holt of Montreal, who happens to be a knight? If it is our English people who are really abusing the English soldiers, speaking of the head of the Army as being rotten, speaking of the Government as knowing nothing, how is it that we never hear a word said against them? I am going to read some of the statements to which I have referred. Mr. A. K. McLean said:

I would make this further suggestion: better judgment and discretion should be exercised in the selection of officers than has been the case in the past. I know that in Canada there have been placed at the head of regiments men who were never militia officers and who have never taken an officer's training course—men who had never evidenced any capacity for leadership, and who, in the judgment of the public who know them, were unfitted for the positions which they held.

They were speaking about the soldiers. No criticism of these gentlemen appeared in the papers. Then what did the Prime Minister say in replying to this hon. member? He said:

My hon. friend speaks of sending to the front only officers of experience and capacity. I hope no one thinks that we have enough officers of military experience for these three hundred thousand men.

Is that true? If they had no officers to lead the men why not stop the recruiting until we have officers of experience? Why send the soldires over there with inexperienced officers who will lead them to destruction? He says again:

Another question raised in my part of the country is whether or not the recruits taken out are all physically fit. The information I have is only general, and I can not give specific instances, but that information is to the effect that, in the anxiety of officers to fill up a battalion, a large number of men are being recruited who are not physically fit and who, in the last resort, when they get across the water, or perhaps even before they leave Canada, will have to be rejected.

When I said they were not recruiting good men in Toronto, the Toronto World or the Empire, or the Montreal Star, had a great deal to say, but why are they silent when these men, Englishmen, holding high positions are abusing the soldiers? Is it because I am a French Canadian? Is it because they tried to connect me with Sir Wilfrid Laurier, to make political capital out of it? It is a dirty business on their part. Then Mr. Turriff says:

I wish to refer to the matter brought up by the member for Regina with regard to the men being taken into the different battalions who are absolutely unfit. Men are taken in for some reason or other, in many cases because certain officers are anxious to get their company or battalion recruited to full strength in order that this may be to their credit and that they may secure permanent appointments. There are many cases where men are recruited and given uniforms, although they could not possibly pass the usual rigid examination that a man is called upon to undergo before he goes to the firing line. The result has been that in many cases men have been enlisted and trained for six months or a year, and then, on a more rigid examination before being sent to the front, have been rejected. This involves a tremendous and useless expense to the country.

I am citing the speech of members of Parliament delivered from their places in the House. These members have not been rebuked or abused. The Prime Minister said, "That may have been true, but we have not enough of officers to lead the men." What does Mr. Macdonald say:

I am speaking from the highest possible motives, and not with a desire to be partisan in my criticism. I know the gentleman who has the patronage in my county has gone to certain gentlemen and said: I can get you made a major, or colonel, or something else. I have known men, particularly this gentleman from Cape Breton that I have referred to, trying to remove men who were politically dangerous to him, by offering them commissions of one rank or another. So long as it is possible for that kind of thing to be done, what is the use of talking idealism to our people, or asking a man to come out and fight for liberty.

I cite this language just to show how unfair the press, and even some men in this House, are to a senator who had the courage to state facts, which, coming from men of another nationality are taken as true. It does not make much difference to me. I despise these slanderous attacks, but as a public man I have a right to resent it. If a senator cannot place his views before the Senate without being abused even if these views may not be agreeable to some of them, it is a dangerous situation, and it is time we knew where we stand. We know that in Ontario especially the French Canadians have been abused for not furnishing their quota of men to the front. I have an answer to that. If you take the morning papers giving the casualties, the names of those killed or wounded, what do we find? A large proportion of French names, and I know that some with English names appear also, though they are French and do not even speak English. Therefore, it shows at least that the men from Quebec, not like some others, have been sent to the front, and kept at the front to fight and die. But I go further. I have in my hand hear the certificate of the head of the army of this country, Sir Sam Hughes, who said in England on the 21st March, according to a despatch which appeared in the Citizen of the 22nd of March:

The general was asked if the bilingual dispute had hampered recruiting in Quebec and Ontario.

"No," he replied, "I know of no dispute. I am perfectly satisfied with the way French Canadians have responded."

I take this occasion to put this certificate in the Debates as the most complete answer to these slanderers in Ontario and elsewhere, who are abusing the province of Quebec and French Canadians in particular. I wish to be fair to everybody. I have received hundreds of complimentary letters from places in Ontario—Oakville, Brighton and other towns, different people in Ontario—congratulating me, and saying I was right about saying to stop recruiting for the present and protesting against the great and useless expenses. I do not dare to give their names, because now a citizen who signs his name in a letter to the public may get in trouble. But they all say: We congratulate you on what you have said; it is true, but we are bullied by the jingo press and sometimes by the banks who are trying to impose upon us if we express our views. I must also say that I have received letters from many parts about the statement of the Mail and Empire that in battalions 75 per cent and 50 per cent of the applicants are refused; my hon. friend has admitted that 50 per cent are rejected. I have received a statement from Earlscourt, a place near Toronto, I think, saying that in recruiting 1,400 troops only 65 were rejected. I think that is the greatest compliment to those gentlemen.

Hon. Mr. CLORAN—That is Irish.

Hon. Mr. CHOQUETTE—Well, they are just as good as if they were French. I am willing and desirous to give full credit to those men before the House, but again I ask why, when the facts I have submitted are not as strong as those cited by other people, I am abused. There is no use trying to stop a man from speaking his mind when he must do so in the public interest. Truth must come out some day.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. CHOQUETTE—When I see facts which, as a public man, I should speak of, even as against my leader, I am sorry to be reproached by him for not sharing his views. Anyhow, we are here to state our minds, and when a man does so frankly and honestly, as I have done, I do not see why he should be abused. I take this occasion to congratulate my hon. friend for having brought up his motion. At a time like this it required courage on his part to come after me and endorse me indirectly as he did. On the other hand, I ask my hon. friend, and I ask the gentlemen present, why I am abused as having spoken against the soldiers when I have not said a word against them; on the contrary, having always praisesd them. I have said enough to put me righth before the public, before the soldiers and before my friends, and I hope to put myself right before this hon. House, because if there is one thing that would pain me more than another it would be to lose the respect of this House by making statements to hurt any man, either in this House or outside this House. On the other hand, if I have hurt any one, it was done as a matter of duty, and I hope that from to-day those that have accused me here will take my word and accept these declarations in justice to me.

Hon. Mr. DANIEL—The notice of inquiry which we have before us, which has been introduced by the hon. senator from Toronto, refers to a very important subject, one that has not been very much mentioned

so far in the speeches that have been made, or by the hon. gentlemen who introduced the inquiry. The important subject is registration as an aid to recruiting. With regard to what might be called the preamble of this notice of inquiry, I cannot say that some of it at all events has much bearing on the subject of registration. For instance, the hon. member says that:

—of the men who are offering themselves for enlistment a large proportion is rejected for physical reasons, thus entailing much unnecessary trouble and expense.

But he has not shown us in any way how the system of registration is going to lessen either the trouble, the expense, the number of rejections that take place in those who offer themselves for enlistment. I cannot for the life of me see how a system of registration would either lessen the trouble of the examining officers or the expense of paying them. With regard to the examination of recruits, I know something about it personally, having been for a great number of years a medical officer in the Militia, and having had these medical regulations to carry out and put into effect, and I can say that the examination of recruits for the army is a most severe one. I also make this statement, that there are many men accepted by life insurance companies as risks who could not begin to pass the examination for admission into the army; and I make that statement without casting any reflection whatever on the class of persons who are examined and accepted for life insurance. We all know that there are many cases rejected for army life that would be accepted for ordinary life insurance. When we consider the great number of men rejected, many of them for slight ailments, we know that there are men coming up for enlistment and for examination, who have been examined and rejected over and over again. When I was in St. John the last time I went into a recruiting office and was there while a young man was being examined. He was rejected because his sight was defective. He was a strong, hearty, able man of military age,—able in every other way, but defective as far as his sight was concerned. He could not, therefore, be classed as among the maimed, the diseased or the deformed. Many of them have been rejected for defective teeth, for defective hearing, for other slight ailments, over-lapping toes, things of that kind, all of them objections that would not disqualify them from being accepted by life insurance companies. Therefore, so far as registration is concerned, I do not think that that portion of the preamble would be remedied in the slightest degree. In regard to another matter referred to, the interfering with the industries of the country by taking out men who ought to be left behind, registration might have some effect; but my own view of registration is that unless it is used as a preliminary and a forerunner of compulsory service it is no good.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. DANIEL—That has been proved by the experience already had in the Old Country. There registration was tried out fully, and was really very successful, as I understand from the remarks of my hon. friend who introduced this inquiry, for out of 5 million men who were amenable for service, no less than three million offered through this registration. That is a larger number than I would have anticipated. But even so, the authorities in the Old Country have found themselves compelled in the end to resort to compulsory service. My idea of compulsory service is that it not only saves time where time is one of the most important elements of the whole matter, but it is the fairest to all concerned It does not allow the slacker to conceal himself, and it does not put the whole burden on the young man who is willing and feels it his duty to go to the front, and who is impressed with the importance and responsibility of his citizenship. It does not compel the very best men that we have to take up the whole burden; but if we had compulsory service all would be treated alike, all on the same level, and every individual would be made to feel his own individual responsibility for the safety and defence of the state. So, unless this legislation referred to is as a preliminary only for compulsory service, I think it would hardly be worth the trouble and expense it would involve. But if it is a necessary part of a system of compulsory service, I for one shall support it most heartily.

Hon. Mr. POWER—I agree with most of what the hon. gentleman of St. John has said, and I quite agree in what he has said with respect to the proposal of the hon. and gallant member from Toronto with respect to registration. I think that registration, if it comes at all, should come as a preliminary or accompaniment of legislation for compulsory service. Whatever any one of us may think as to compulsory service, I do

not think that either party in this country is prepared, just at the present moment, to propose that it should be introduced during the present session. Having said that, I wish to call the attention of the House to a very important feature in connection with the inquiry of the hon. and gallant member from Toronto. The hon. gentleman proposes to

> Call the attention of the Senate to the unsatisfactory results attending the present methods of recruiting in Canada. The supply of men who are eligible and who are willing to enlist is fast becoming exhausted, and of the men who are offering themselves for enlistment a large proportion is rejected for physical reasons, thus entailing much unnecessary trouble and expense.

I do not know how it may be in other provinces, but I know that in the province from which I come there are very few rejections owing to physical defects. But the point is this: one would imagine from the language used by the hon. and gallant member that we were not doing very well in Canada now; that, in fact, we were not doing anything like our duty in the matter of supplying recruits. But what is the fact? I see from a return submitted in another place that from the 1st of January of the present year up to the 15th April there were over 101,000 men recruited. Now it seems to me that that is not doing too badly, considering the population of the country and considering what had been done already. To recruit in three months and a half 101,000 men is pretty satisfactory work. And further, if one were disposed to think that we should have had a larger number of recruits, any hon. gentleman who stops to think will see that probably the 101,000 men are as many as can be uniformed and otherwise equipped in anything like reasonable time. The administration of the department here is not able—and I am not finding any fault with the department at all—but it really cannot go ahead any quicker than the recruiting is going ahead, and I do not think there is any reason to find fault or complain about slackness in recruiting. That being the case, I do not think it is desirable that we should undertake to question the matter here.

The SPEAKER—Has the Government any reply to the inquiry?

Hon. Mr. LOUGHEED—I would say to my hon. friend that the Government does not at the present moment contemplate a registration system.

Hon. Mr. POWER.

Brig. Gen. the Hon. Mr. MASON—While it is true that we have had a large number of men enlisted since the beginning of the year, the objection taken is not to the number coming forward, but to the class that comes forward. Men are coming forward who cannot be spared from their employments. As you see by the correspondence I have read, our industries are suffering severely by reason of the employees enlisting. Those are the men who compose that 101,000 who have come forward since the 1st of the year. Many of those men should not be allowed to enlist. There is a very large number of men who ought to be serving as soldiers who are not inclined to enlist. Those men should be got at. That is one of the objects I had in view in suggesting registration. Then, again, it is stated that there would be no expense or trouble saved by registration. I should like to add that there is a great deal of expense incurred by reason of the difficulty of getting men. In Toronto there are recruiting sergeants all over the city, and no doubt in other cities just the same. Those men have to be paid for what they are doing, and the results are not at all in keeping with the efforts made to get the men. That is one source of expense that would be saved. Then, again, men are enlisted and trouble is gone to in the uniforming of them, and it is discovered that they are not eligible or capable for the work that is before them. They are recruiting seven battalions in Toronto at the present moment; that is, after nearly two years of the war to which Toronto has so largely contributed in the way of men, and now they are asking Toronto to fill up seven new battalions at one time. That is causing a great deal of trouble and a great deal of expense that could be avoided were registration in effect and were other parts of Canada contributing their fair share of the men required.

SITTINGS OF THE SENATE.

MOTION.

Hon. Mr. LOUGHEED moved:

> That commencing on Friday, 5th May instant, 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: I might say that it is expected that Parliament will get through at a very

early day, and if the motion passes I shall not ask the House to invoke the rights it confers except it becomes quite manifest that it is necessary to take advantage of those extra sittings.

Hon. Mr. BOSTOCK—I was going to ask my hon. friend if, in view of the condition of the Order Paper, unless he knows of some other legislation to come up that we do not know of at the present time, whether he would not postpone this motion until next week. As the Order Paper stands to-day—and I do not know of any other legislation coming down—it does not seem to me that there is any necessity for us to sit on Saturday or to-morrow morning at all. Also, it might be more convenient for the members of the House if, instead of sitting at 11 and 3 o'clock, we were to arrange to sit at 3 and 8 in the evening.

Hon. Mr. LOUGHEED—Well, as I have said I have no intention of asking the House to sit unnecessarily.

Hon. Mr. BOSTOCK—If we pass this motion we have to meet.

Hon. Mr. LOUGHEED—Not necessarily, because in moving the adjournment of the House I would not move that we should sit in the mornings, or I would not even move that we should meet on Saturdays except it became necessary. Therefore if it is the desire of hon. gentlemen that it should stand I am quite content. Let it stand until to-morrow; also the next motion:

That from and inclusive of Friday, 5th May instant, and until the end of the Session, Rules 23f, 24a, b, d, e and h, 63 119 and 131 be suspended in so far as they relate to Public or Private Bills.

The motions were allowed to stand.

GAULT DIVORCE CASE.

MOTION.

Hon. Mr. ROSS (Middleton) moved:

That the Chief Clerk of Committees who has been subpœnaed to appear before the Superior Court of the province of Quebec, at Montreal, with the records of the Senate in connection with the application of Andrew Hamilton Gault, for a Bill of Divorce, be granted authority accordingly.

He said: I beg to renew this motion to-day. I understand that the case in the Superior Court at Montreal has been deferred, so that it is not at all likely that the Clerk of Committees of this House will be required to attend there until after our session is over, and so far as I know there is no other objection. I do not see anything wrong in instructing the Clerk of the Committees to obey the subpoena of the Superior Court of Montreal. Perhaps there ought to be some instructions given to him that he would not let a copy of the evidence be made and that he would not part with its possession; but that is entirely in the hands of the House.

Hon. Mr. THOMPSON—If, as suggested by the leader of the House, we are very likely to prorogue at a very early date we might find it necessary to have the services of the Clerk of Committees here, and I cannot understand why the court could not as well afford to wait as the Parliament of Canada. The case is adjourned, and I cannot understand why it is so important that we should think it necessary to pass this motion. I would like to ask whether it is not a very exceptional request to let the records of this House be seen.

Hon. Hr. ROSS (Middleton)—Quite the contrary; it is the regular order. Any other institution would have to obey the summons of the court, but an officer of this House would be wrong in obeying the summons of any court in Canada unless he got the leave of the House itself. Then, further than that, the understanding is that the Clerk of Committees would not go down there until after this House adjourns.

Hon. Mr. POWER—That is all right.

Hon. Mr. ROSS (Middleton)—They will have to wait on us; we are not going to wait on them.

Hon. Mr. BOYER—We have been told that this evidence was not printed because the committee reported against the divorce. I am credibly informed that the idea of having this record brought down to Montreal is for the purpose of a private suit between the parties concerned. So far, secrecy has been maintained about this report, and if you allow that report to go down to Montreal I am positive that the press will get hold of it and what the Senate has been refused will be given to the public at large through the newspapers.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. ROSS (Middleton)—Does the hon. gentleman say that the Senate has been refused? Not at all.

Hon. Mr. BOYER—We have not been refused, but we have to ask for it.

Hon. Mr. ROSS (Middleton)—That does not hurt you.

Hon. Mr. BOYER—But I do not see why, since it was strictly confined to the Senate and House of Commons, it should be thrown open to the public.

Hon. Mr. ROSS (Middleton)—All I have to say is that this is a question for the House. I do not care one brass button whether the clerk goes to Montreal or not.

Hon. Mr. CLORAN—I think I was the first one to raise a question with regard to the procedure followed by the committee in this case. Probably it is the first time in the history of the Senate that a committee has suppressed evidence.

Hon. Mr. LOUGHEED—No, no.

Hon. Mr. CLORAN—Now, allow me to finish my phrase, and you will get in your "no, no" afterwards. Don't be too premature.

Hon. Mr. POWER—This is a free country, and members can express themselves.

Hon. Mr. CLORAN—A member has a right to finish his sentence without being interrupted by a comma. I was saying this evidence has been suppressed with the exception of putting a typewritten copy which nobody ever sees on the so-called table of the Senate. For instance, I have asked for papers in regard to the alien enemy escapes in Alberta. I went over to the clerk just now and asked him if those papers were ever brought down. He said, yes. I never knew anything about it. But I have to get a hustle on and get busy to find out if they were brought down; no mention is made of them in any of the records. Here they are now; the first time I get them after two months' demand.

Hon. Mr. DOMVILLE—There is nothing in them now you have got them.

Hon. Mr. CLORAN—So in regard to this divorce case, I say the committee suppressed that evidence, and the fact of putting it on the Table is no justification for saying that it is open to the public or open to the Senate.

Hon. Mr. LOUGHEED—May I correct the hon. gentleman? It was the deliberate act of the Senate itself.

Hon. Mr. CLORAN—It was the deliberate act of the Senate itself, but the committee did not bring in the report printed. That was not the deliberate act of the Senate, and at the time I protested against it, and I said at that time, "Why have one weight and one measure for one case, and another weight and another measure in another case?" What was the matter with the Hamilton-Gault divorce case?

Hon. Mr. DOMVILLE—There was a higher grade of society involved.

Hon. Mr. CLORAN—It is suppressing the evidence, I call it. Putting it on the Table does not mean publicity or publication to the public. The committee gives all the evidence printed in pamphlet form, distributed to members of the House of Commons, to members of the Senate and to all officials who are entitled to it, in every other case. Why was that not done in this case? Where is the nigger in the fence? These are fair questions to be put to this Senate. We would like to know. We are trying to find him out and we cannot. Now the courts of Montreal come up to the Senate and demand the production of this evidence in the courts, and as the hon. senator, my neighbour here (Hon. Mr. Boyer) says, once it goes to Montreal there will be no secrecy; there will not be a correspondent, American, European or otherwise, that will not get it and send it broadcast all over Canada and England, where both parties in this case are well-known and highly esteemed, one a gallant soldier in the ranks of the King and the other a lady of high standing in social circles of Montreal and the Mother Country. What does all this mean? Now the committee can see, and all the legislators ought to see, that it does not pay to have two measures and two weights for different cases; and this is the result. I hold that the Clerk of the Committees of this House should not be permitted to leave his duties to produce this evidence before the courts of Montreal or any other courts in this Dominion of Canada. They have nothing to do with it. If evidence taken here is produced in the courts of Montreal who is going to prove that that evidence is correct? All that the Clerk of the Committees can do is to hand the document over. Who is to be in the court at Montreal to say that the witnesses were properly examined and that the evidence as given was properly placed before the Parliament of Canada? The Clerk of Committees will be unable to do so; all he can do is to bring the document down and hand it to the prosecuting or defending attorney in the case. I say that the Clerk of Committees should not be made a servant of any defending or any prosecuting attorney in a

divorce case in any part of the Dominion, especially in Montreal.

Hon. Mr. ROSS (Middleton)—I wish to correct one statement of the hon. member who has just resumed his seat, and that is the statement that the Divorce Committee treated this Gault divorce case differently from any other case. That is absolutely not so.

Hon. Mr. CLORAN—You did not print the evidence.

Hon. Mr. ROSS (Middleton)—We do not print the evidence, and the hon. gentleman knows we do not print the evidence in any case where a petition is refused. We reported the evidence back to the House, the same in that case as any other case. The insinuation that there was anything different in the treatment of this case is entirely incorrect.

Hon. Mr. DANDURAND—I am surprised to hear a senator whose conscience prevents him voting on a Bill of Divorce, complaining because a report has been submitted by the Divorce Committee, denying a divorce. Such a decision should be, it seems to me, satisfactory to the hon. gentleman from Victoria division. He complains now that the evidence has not been printed, but I should like to know for whose enlightenment it should be printed. Not for his, because even if he felt there was evidence to warrant a divorce, he would not vote for it. I cannot, therefore, understand why he rises to complain that the evidence has not been printed.

Hon. Mr. CLORAN—I did not complain for myself.

Hon. Mr. DANDURAND—For whom is the hon. gentleman complaining?

Hon. Mr. CLORAN—For the public.

Hon. Mr. DANDURAND—Surely my hon. friend has enough sense of morality not to desire that this kind of evidence should be distributed to the public. Surely he does not wish to express the desire that any such evidence should be given to the public. Now he is surprised that this evidence is asked for by the courts of Montreal.

Hon. Mr. DOMVILLE—What was the reason it was suppressed ?

Hon. Mr. WATSON—It was not suppressed.

Hon. Mr. DANDURAND—I am not a member of the Divorce Committee, but I have heard it stated that when a report was a negative one, ordinarily the evidence is not printed. If that is a correct statement, it should suffice. The courts of Montreal are asking for the evidence which was heard here. If it were denied, the witnesses who were heard here could be called in Montreal to repeat their evidence. I suppose some exhibits which were produced before the committee are wanted. Do the parties to that suit in Montreal desire to have official copies of these documents? The official record of the Senate will not be handed over to the courts of Montreal. That remains of record in the Senate, but the clerk who goes with the record will be able to furnish certified copies of the documents on record, and perhaps deliver copies of the evidence, if the parties in Montreal agree to accept that evidence in lieu of placing the parties themselves upon the stand.

Hon. Mr. MURPHY—Would the evidence as taken before our Divorce Committee be admitted before the courts of Montreal and taken as proper evidence?

Hon. Mr. DANDURAND—It would by consent of the parties, and most probably the court has authority to decide upon that point itself, if there should be any divergence of opinion.

Hon. Mr. SPROULE—Either I misunderstand what the court desires, or the hon. gentleman is wrong in his conclusion. I did not understand that the court required the evidence that was taken here, but the records of the Senate. What are the records? There was a divorce case before the Senate. The petition was thrown out. That would be shown in the Journals of the House. I did not see the exact wording of the application, but I know from hearing many of these discussions regarding demands from courts for information in election trials, that it is the record of the House that is wanted. It is not their aim or desire, so far as I know, to take up the evidence in the divorce case and review, contradict and discuss it there.

Hon. Mr. BOYER—I do not know which side is applying for it, whether Mr. or Mrs. Gault.

Hon. Mr. DANDURAND—That is a matter of indifference.

Hon. Mr. BOYER—But supposing it is Mrs. Gault? Only the evidence in her favour would be given to the court. In the defence whatever evidence was given in Mr. Gault's favour would be taken out

of the record and published. I have not a brass button of interest in the matter, as the hon. chairman of the Divorce Committee said: the only thing is that we have been so far successful in keeping scandal quiet, and I do trust that the Senate will persist in its decision, and not allow this document to leave the Senate.

Hon. Mr. DANIEL—Applications were made by both sides for copies of the evidence taken in the Gault divorce case, and refused by the Divorce Committee. They were told if they wanted it, to apply to the Senate of Canada, as being the only authority to give permission to use it, and I think that was quite proper. That is the position so far as the two parties to the suit are concerned, and I think if the clerk is given permission to obey the subpœna he might receive instruction as to how he should deal with the evidence, which I take it to be really the records of the Senate. With regard to the non-printing of the evidence, I made inquiries, when that report was laid before the Senate, with regard to the printing of the evidence, and was told then that it was not the practice to have the evidence printed when the committee reported against the granting of the decree unless it was specially ordered by the Senate. So that there was no different action in regard to the printing evidence in this Hamilton Gault case, than in regard to any other case in which the committee decided to report against the granting of the divorce. Personally, I can see no reason why the request should not be granted. Both sides are asking for it, so that it is not one side only that would have the advantage of it; both have asked for it. I can see no reason for it. I understand they are both applying for separation, both have entered actions, one against the other, and if the evidence taken here would help them any I do not see why they should not have it.

Hon. Mr. POWER—I have not any strong feeling about this matter, but I suppose the object of the parties in asking to have this evidence is to save the expense to themselves of having the evidence taken in Montreal. As I understand, both parties to this suit are wealthy, and they can afford to pay for their own fun.

Hon. Mr. LOUGHEED—Let me point out to hon. gentleman that the chief element to be considered has not been referred to; that is the discourtesy we show to the courts of Quebec by not answering their summons.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. LOUGHEED—That is a matter which the Senate should recognize. One of His Majesty's superior courts of the province of Quebec has issued a subpoena, and I doubt very much if you will find any case in the history of the country where Parliament has refused to answer a subpoena.

Hon. Mr. BOYER—There is a case in one of the courts in Montreal. One of the judges ordered a convict in St. Vincent de Paul to be brought to Montreal. The Deputy Minister of Justice put his veto on it, and they could not override the Minister of Justice. Would there not be a way out of the difficulty? Supposing the Senate authorized the clerk to go to Montreal with a copy certified by the proper authorities stating that proceedings for a divorce were entered in the Senate, that the committee heard the evidence, and saw fit not to grant the petition. It strikes me that ought to be sufficient to prove that there had been an application for a divorce, and the evidence not being sufficient, the divorce had been refused.

Hon. Mr. CLORAN—In regard to the dignity of the courts of Montreal, the hon. leader of the House should consult the dignity of the Senate, which is the highest court in the land. It is not the judge of the court in Montreal who wants it. The demand is made by the prosecuting or defending attorney in the case, and the judge issues a summons. Why should the Senate go down to Montreal with its records? Let a commission be appointed by the court at Montreal to come to Ottawa, investigate the records and take back their report to Montreal. That would be respecting the dignity of the Senate, a much higher court than the superior or circuit court of Montreal. We have to maintain our dignity. It is none of our business to accommodate this court. We would accommodate them if they came to us. Supposing the clerk had to go to Vancouver, or down to Halifax, it would be very inconvenient.

Hon. Mr. DANIEL: We have made demands on various courts to send their clerks with evidence and things of that kind, and those courts have always sent an official with the documents, I think it is a good rule that works both ways.

The House divided on the motion, which was agreed to on the following division.

Contents, 25.
Non contents, 13.

AID OF PROVINCIAL PROHIBITION BILL.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion for the second reading Bill 66, "An Act in aid of Provincial Legislation prohibiting or restricting the sale or use of intoxicating liquors," and the motion in amendment of the Honourable Mr. Power that the said Bill be not now read a second time but that it be read this day six months.

Hon. Mr. McSWEENEY—In resuming the adjourned debate on this Bill I may say that I come from a place, the city of Moncton, where we have had the Canada Temperance Act in force for over forty years. Instead of decreasing the sale of liquor, it has increased it. We had last year 280 arrests and convictions out of a population of 14,000. That would be about 20 per thousand. In the city of Ottawa, with a population of 100,000, you have about 1,000, or, to be exact, 994 arrests for drunkenness; in other words, 10 per thousand, just half the number that we have had in the city of Moncton.

Hon. Mr. POIRIER—That might be because the police are more vigilant there.

Hon. Mr. McSWEENEY—That may be. I may say that Moncton has ten policemen and a chief. I was in Berlin some few years ago, and I went to the city hall and got a report from the chief of police. The population of Berlin is about the same as Moncton, about 14,000, and they have a force there of three men and a chief, four in all. There were 62 arrests, but there were only six convictions for drunkenness. The other 56 were sent to their homes. The six men were fined $1 each. There were five licensed houses there. Comparing Moncton with the city of Ottawa, we have about two to one convictions for drunkenness. In Fredericton the other day they summoned and fined about 25 liquor sellers. The liquor has been sold there openly for years and years. It is the same way in St. Stephen and Woodstock. When I was there a year or two ago I found out there was no liquor sold in the hotels, but I looked out of the window early in the morning, and I thought a circus was coming into town. Men were drinking out of bottles, what they call square face, and there it seems there is no difficulty in getting liquor. It is the same thing in Amherst; the traffic is open, or almost open. You can get liquor every place. New Glasgow, Truro and Sydney are the same, and when you go over to prohibition Prince Edward Island—

Hon. Mr. MURPHY—Be careful now.

Hon. Mr. McSWEENEY—I will deal with Summerside. I was over there a few days after nomination for the local election, and the landlady of the hotel informed me that I should have been there two days before, that she had never seen in all her experience—and she was no spring chicken—so much drunkenness.

Hon. Mr. MURPHY—That was bad reform booze.

Hon. Mr. McSWEENEY—And I know that Charlottetown, if not altogether wide open, is almost so. We had prohibition in New Brunswick in 1855, but the Act was defeated after being in force eight months. Just two gentlemen of the prohibition party were left after the repeal of that Act. One of them is living to-day. I think, so far as prohibition is concerned, it does not prohibit. We have in Moncton, I suppose, 40 people selling liquor illicitly. They allow nothing in all the principal hotels, but liquor is to be had all around the place, because at Shediac the bars are open, and in Dorchester, a short distance away, and in pious Sackville you can get something if you look for it. I am just giving the House in brief the reasons why I am opposed to the Bill introduced by the Government, and shall have great pleasure in voting for the amendment moved by the hon. gentleman from Halifax.

Hon. Mr. THOMPSON—The hon. gentleman referred to Fredericton, where he said there were some 20 or 25 charges against people for selling liquor. They were not proven; but in Fredericton we have only three policemen, and so far as Fredericton is concerned, by reference to the constituents at times when some people desired to do away with the Canada Temperance Act, the people have decided to retain it. They believe it is to the advantage of the community, because we have not any open bars to tempt young people. I do not understand this to be a prohibitory law. We are simply, by this legislation, assisting the prohibition provinces to carry out their legislation. The province of New Brunswick has passed a prohibitory law which does not come into force until 1917. So that it gives our liquor friends a lease

of nearly a year to get ready to comply with the Act when it comes into force. Personally I am in favour of the legislation.

Hon. Mr. DAVID—As my views on this question have been given to a great extent in the newspapers of Montreal, England and France, I think it proper to express my views here now. When I was a member of the local Legislature in Quebec I laid before the House a Temperance Bill which was considered ahead of time and too drastic. I suppose now it would be considered behind the times and not up to date. I have always thought that prohibition was not the best means of checking intemperance. Extreme measures are always dangerous and they defeat the object in view. I think that restriction is better than prohibition. Very often prohibition does not prohibit, and it gives rise to all kinds of devices to evade the law. I will give you an example. Thirteen years ago I had been invited to lecture in a little town in New England. While going there I remarked to a gentleman that they had no hotels there. He said, "No, we have a severe law, nobody is allowed to sell liquor, no license is given to sell spirituous liquor, but," he said, "we have a fine cellar. Will you come down and see it?" I went with him; we went to lunch in the basement. The room was filled with bookcases, which had a very good appearance, and he called for the librarian, who came, and he said, "Show to this gentlemen your collection of books." He replied, "Yes, yes, I am pleased to do it," and he put before me three or four books. I took the books; there were volumes with those very great names which the English people, and we French people as well, admire so much. Shakespeare, Milton, Gladstone and others. Then he said, "Whom do you prefer?" My friend said, "Open the books." I opened the books, and in the book marked Shakespeare I found brandy; in the other book marked Milton there was Bourbon whisky— and you know Bourbon whisky is very popular in the United States. He says, "Which do you prefer?" I said, "Well, I am between Shakespeare and Milton, I do not know exactly." Anyhow, that was one of the devices which are resorted to in order to evade the law.

Hon. Mr. CASGRAIN—Where was that? What town?

Hon. Mr. DAVID—I do not like to give the name of the town. It was under the conviction that there was something better than prohibition to check intemperance that, when I was a member of the local Legislature in Quebec, I introduced the Bill of which I spoke in commencing my speech. I will sum up some of the provisions of that Bill, and call your attention to them. One was the high license system, giving the right to sell spirituous liquors to a certain class of hotels paying a license high enough to get rid of shebeens and canteens which adorn the corners of our streets in the great cities, especially where the working man returning to his home stops to meet his friends and spends sometimes a great part of his wages, to the detriment of his family. Were the working man obliged to go to the Ritz-Carlton or to the Windsor, in Montreal, or to the Chateau Laurier or to the Russell House in Ottawa, he would not stop because he would not find his friends there, even if he would be admitted, and he would not change his clothing in the evening to go back to the Windsor to drink. I think that is one of the principal evils which we ought to try to remove. A second feature of my Bill was customs and excise duties upon the importation and manufacture of spirituous liquors. You will remark in this case that although so much is done in order to prevent importation of spirituous liquors into the province of Ontario, nothing is done to prevent the manufacture. That is a curious anomaly.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. DAVID—And they have a right to spread their liquors everywhere.

Hon. Mr. CLORAN—That is right; that is the point.

Hon. Mr. DAVID—The third feature of my Bill was cheap license to restaurants and cafés where light wines and beer would be sold. Fourth, a severe inspection of these establishments. Fifth, the abolition of bars and of treating. If we had education at home, education in the schools, education in the churches and in the press, I think it is the best and most successful way to check intemperance. Nevertheless, in spite of that, I had decided to vote for this Bill; but after examining it I came to the conclusion that I could not vote for it, first because I have grave doubts as to the constitutionality of the Bill. I think that the objection of the hon. member for De Lanaudière deserves consideration and that the clause cited by the hon. member for De Salaberry in answer to the

point raised by the member for De Lanaudière is not sufficient, because the effect of that clause is removed by clause 121, and hon. members who have read the discussion which took place elsewhere must have seen that great doubt was expressed by those who spoke on the question of constitutionality, and even the Minister of Justice said there were doubts and he was leaving the question to the tribunals. Secondly, I think that the Bill will be inoperative and will not attain the object in view. What do the promoters of the Bill want? They want to check the importation of liquor from the other provinces into the province of Ontario. But they should check importation from the United States and from the whole world as well.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DAVID—There will be as much spirituous liquor sent into the province of Ontario as formerly. And why that discrimination? Why is it a crime to import spirituous liquors into the province of Ontario from Quebec or New Brunswick, and not so in the case of shipments from the United States to Ontario? You cannot punish those who ship liquors from the United States into the province of Ontario. Moreover, I believe that the provinces have all the powers required to check intemperence, and I do not think they are obliged to have recourse to this Parliament in order to help them. They have now power to do what they think proper in order to give effect to their views in checking intemperance. I respect their views; I respect the motives of those who want prohibition. There is no doubt they are actuated by noble and good motives, but we have a right to differ as to the method taken to attain that object, and I think that this Bill will not give them what they want. I think it will be inoperative and will not prevent the importation of spirituous liquors into the province of Ontario. Another objection is in clause 4. How will you put clause 4 in operation? And can you do it without being unjust to those who may be prosecuted under that clause? Clause 4 says:

> On any prosecution for the violation of section one of this Act the accused person shall be deemed to have known or intended that such intoxicating liquor would be thereafter dealt with in violation of the law of the province into which such intoxicating liquor was sent, shipped, taken, brought, carried or imported, unless he proves that he had good reason for believing that the intoxicating liquor would only be dealt with in a lawful manner.

How will he get that proof? How will he be able to show that he knew that the shipping of intoxicating liquor was in violation of the law of the province?

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DAVID—And you enact that he may be sued either in the province from which the intoxicating liquor is exported, or in the province into which it is imported, so that, as I said yesterday, a man from New Brunswick or from Prince Edward Island prosecuted for violation of the law may be sued in British Columbia. Imagine in what position it would place that man. Could anything be more unjust, more unfair? I was inclined to vote for the Bill, but I shall vote for the amendment moved by the hon. member for Halifax.

Hon. Mr. BAIRD—For nearly 50 years I have been voting and talking temperance, and I am very glad to know now that the time is drawing near when there has been great progress made on the temperance question. I can see and feel that the day is not far distant when we are going to have a temperance measure. I have therefore much pleasure in voting in favour of the Bill to-day.

Hon. Mr. CLORAN—The hon. gentleman imagines that when a public man or any man or any woman protests against prohibition, he favours intemperance; that is the position held by all prohibitionists.

Hon. Mr. BAIRD—You don't mean that I have that view?

Hon. Mr. CLORAN—Well, the hon. gentleman just stated as much.

Hon. Mr. BAIRD—No, I have not stated anything of the kind.

Hon. Mr. CLORAN—It is a wrong attitude for prohibitionists to take. It spoils their case, and very often kills their cause.

Hon. Mr. BAIRD—I see you do not take that position.

Hon. Mr. CLORAN: Why should the prohibitionists claim all the virtue of temperance for themselves? When any man protests against being coerced by sumptuary legislation, is he to be put down as a glutton, as a runner of houses, as an intemperate man, as a drunkard? This kind of legislation cannot attain the end that its advocates have in view, because it is not based on principle, not based on divine ordi-

nance, not based on natural law, and not based on natural necessities and needs; in fact this legislation and all similar legislation more or less is against divine ordinance, against natural law, against human needs and human necessities, consequently it must fail in the long run. If prohibition were a true principle, then it could have a general application to the human race; otherwise it is not principle, it is simply a local application of a certain remedy. Prohibition, if based on principle, according to divine ordinance and according to the needs of the human race, would have to be applied to Italy, Spain, France, Germany, and all southern climes where there is no pure water, or very little of it for large centres. They make it on the hills, in the hamlets and the villages.

Hon. Mr. MURPHY—How about Ottawa?

Hon. Mr. CLORAN—Ottawa has got the worst water on the continent. This is a question of preventing a man from taking what he needs and what he wants and no power on earth can take that from him in a legitimate way. He can be forced by statute, but statutes very often are a contradiction of justice, of truth, of fair play. Very often statutory law does not mean truth or justice in all cases. This question of prohibition is not one of principle, it is one which gives certain people a chance to put before the public their virtues, their abstemiousness, that is all. Attempt to pass prohibition in the United Kingdom of Great Britain and Ireland, in France, in Germany, in Russia, in Italy, in Spain, in Sicily, in all the southern and eastern climes; why, you would be laughed at, you would not get a hearing.

Hon. Mr. POIRIER—They have it in Turkey.

Hon. Mr. CLORAN—Prohibition in Turkey?

Hon. Mr. POIRIER—Yes.

Hon. Mr. CLORAN—Prohibition of what? Now, this Bill brought down to Parliament by the present Government, to the mind of the large if not the vast majority of the people of the country, is a blind. It is now before Parliament simply as a makeshift; it is brought down by the Government to help it out of a hole; that is all. The Government was asked to pass a prohibitive measure. Now, the only power in Canada that can bring about prohibition is the Federal Parliament. I would favour prohibition if we had it full, complete and adequate, but I am not going to be in favour of lop-sided, one-legged prohibition.

Hon. Mr. POIRIER—Against divine laws, as you said before?

Hon. Mr. CLORAN—Well, can you not allow me to be sarcastic for a moment to make good my argument?

Hon. Mr. DOMVILLE: There is nothing to do it on.

Hon. Mr. CLORAN—Prohibition can only be enfored by the Federal power. Why? It is only a farce and a fraud for a province to pass a prohibition measure and allow the manufacture of liquor to be carried on in the same province.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. CLORAN—I appeal to the sentiment of the country if I am not right in making that statement. It is a farce and a fraud for a Parliament to pass prohibition measures and to give to druggists and doctors and horse doctors, mechanics, preachers and ministers the right to use liquor. It is a farce and a fraud to give doctors, and druggists especially, the right to sell liquor. Why, hon gentlemen, if there is any agency on earth that tends more to the destruction of morality, aye, of human life, point me nowhere but to the drugstore; and a prohibition government wants to put another deadly instrument into their hands to propagate immorality and kill off human kind. Oh, gentlemen, these are facts. Anybody acquainted with the administration of criminal law knows that there is more danger coming out of the drugstore than out of twenty barrooms; not that I am in favour of barrooms on every corner and every block any more than I would be in favour of butcher shops at every second store. You must have some consideration for public convenience and public needs, but the idea of handing over to the druggists of this country the sole right to sell liquor I say is an absurdity and an outrage on the community, and many of the druggists themselves have felt the pinch, have acknowledged it, and declined to sell liquor or be identified with the traffic. There are honest men in every trade; there are dishonest men in every trade. There are honest men in every profession, whether it be legal, medical, artistic or otherwise. You have both classes in all professions, and the honest men in the drug

business have notified the Government of Ontario that they will not accept the responsibility of dealing out liquor. Therefore, I say that this measure brought down by the Government is simply a makeshift. If they listened in a measure to the temperance people, they should have listened to the prohibition people—not the temperance people, because they are not temperate; a prohibitionist is never temperate; temperance is a happy medium between the two extremes. Temperance is a virtue; prohibition is an extreme. If the Government had listened to the appeals of the prohibitionists they would have had the courage to bring down a law prohibiting the manufacture and importation of all kinds of spirits and liquors. That is within their exclusive power. They did not do it. They shoved off the prohibitionists with this paltry measure, a lop-sided one, a one-legged one, striking a blow at Quebec in preventing the province from exporting its products into Ontario, Alberta, Saskatchewan, or any other province that asks for it, and allowing the neighbouring states, the Mother Country, the countries of Europe and other foreign countries to bring into these provinces all that they want. But the blow is driven at Quebec. That is the size of it. Lift the veil. Hide the cards; we can see through them. The Government by this legislation cannot command the respect of prohibitionists when they wake up sober in the morning.

Hon. Mr. DOMVILLE—Do they ever do that?

Hon. Mr. CLORAN—Some of them do. Some of them are too mean ever to take a drink. When the prohibitionists wake up sober in the morning they will find that this legislation is, as I say, a make-shift. It is a farce and fraud upon the country and upon its trade and the rights of the people. I am therefore prepared to vote for the amendment, but while doing so, I may say I am voting against the Bill on the ground that it is not a fair measure. It is cowardly and not prohibitive; therefore I shall vote for the amendment. It is a prohibitory measure, in one sense, because it prohibits Quebec from exporting its goods into another province of the Dominion. It will prove ineffective, and as the hon. gentleman from Saskatchewan pointed out, will create fraud, suspicion, treachery and hypocrisy all through the broad Dominion. It will put one man against the other, the man who wants a drink and the man who does not. That is the condition of things you are going to create by this legislation. I therefore conceive it my duty in the name of temperance, not in the name of prohibition or intemperance, to vote for the amendment. Prohibition and intemperance are the fingers on the same hand, they meet. They go hand-in-hand. I am in favour of temperance in eating, in drinking and in other walks of life which are too delicate to mention. I am in favour of temperance; it is one of the four cardinal virtues. I congratulate the hon. gentleman from Halifax on having the courage, before the assembly of distinguished Christians called senators, to quote the ordinances of the Old Testament as well as of the New, against this measure. It takes courage to put the doctrine of Christ before Christians. The hon. gentleman has done his duty and I think the country will stand behind him.

Hon. Mr. POIRIER—I move that the debate be adjourned until to-morrow.

The motion was agreed to.

It being six o'clock the Speaker left the Chair.

After Recess.

BUSINESS PROFITS TAX BILL. BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 74, An Act for levying a Tax on business profits. He said: This is a taxation measure. It is needless to say that Bills of this character are not the most popular measures that come before Parliament. But this one has merits that others do not possess. There is involved in this Bill a principle of taxation which, in my judgment, is commendable, and which might be applied to all systems of imposts. I suppose there is no system in the body politic in which there is so much inertia, or which is devoid of so much progressive thought as systems of taxation. They have had their origin very largely in seeking to place a tax on something visible, such for instance as real estate, physical property, or rights, privileges or concessions, something out of which can easily be collected the tax which has been imposed. It has always been a question upon whom the incident of taxation should fall.

Hon. Mr. CLORAN: On the poor.

Hon. Mr. LOUGHEED—Unfortunately that to a very large extent has been the

case, that the burden of taxation under most systems has fallen upon those least able to bear it. There is imported into this Bill which is now before us for our consideration what I might say is a new principle in taxation. It proposes taxing profits and excepting from those profits a reasonable earning power of the capital invested, namely 7 per cent, so far as incorporated companies are concerned, and excepting 10 per cent in respect to individuals who may be engaged in business.

Hon. Mr. McSWEENEY—Why should there be the difference between individuals and corporations?

Hon. Mr. LOUGHEED—There is a difference in the Bill. Why it is I am not discussing at the moment. It might afterwards be thought worthy of some discussion. The Bill proposes, after excepting those rates of percentage upon capital, that 25 per cent of the extra profits shall be the tax levied upon the companies embraced within the Bill.

Hon. Mr. CLORAN—Why limit it to 25 per cent?

Hon. Mr. LOUGHEED—Well, owing to the sweet reasonableness of the Government, I should say.

Hon. Mr. McSWEENEY—I should say so.

Hon. Mr. LOUGHEED—There is at present every reason why companies, that will be reached by this Bill should bear their burden of taxation, which necessarily has to be raised from the body politic at the present time. Fortunately for Canada most of the large businesses of the country have been in a flourishing condition since the war began. Many of them have made most extraordinary profits. A very large increase in the volume of business has been brought about by conditions of the war, and it therefore becomes manifest that the Government should naturally look to those businesses best able to pay the tax rather than to impose a tax upon smaller companies and individuals who at the present time have very largely borne the burden and heat of the day.

Hon. Mr. CLORAN—A very sound principle.

Hon. Mr. LOUGHEED—It is proposed that there shall be three accounting periods. That the businesses to which I have alluded shall make three statements, one period extending from December, 1914, to December, 1915. Then another period to 1916, and another period to 1917. Every consideration is being given in the Bill as to the payment of the tax, so that it shall not prove unduly onerous upon those who are called upon to pay it. In the event of any injustice or of any parties who are called upon to pay the tax conceiving that they are suffering from an injustice, they will have recourse, by way of appeal, to a board of referees, and the machinery which applies to this board of referees I think is sufficiently elaborate to remove any injustice which may be done. The interpretation which shall apply to the word "capital" has been involved in more or less difficulty, but I think upon perusing the Bill hon. gentlemen will be able to satisfy themselves that the word "capital" will receive such an interpretation as to prevent any injustice being done. The question of the valuation of the physical property of companies is dealt with, but it is unnecessary for me at this point to go into a detailed explanation as to all the particulars of the Bill, inasmuch as if we go into Committee of the Whole we can consider all those matters with greater facility than in any statement made by me at this time.

Hon. Mr. CASGRAIN—With regard to watered stock, I understand that will not be considered as capital.

Hon. Mr. LOUGHEED—No, the capital must be paid-up capital.

Hon. Mr. McSWEENEY—Paid up in cash?

Hon. Mr. DANDURAND—Or profits.

Hon. Mr. LOUGHEED—Or value given for the stock, and provision is made for placing a valuation upon the property which may be taken over in lieu of the stock.

Hon. Mr. WATSON—Is the Minister of Finance studying hydraulic engineering at the present time in relation to this watered stock?

Hon. Mr. LOUGHEED—I appreciate the humour of my hon. friend's question, but I really cannot give an answer.

Hon. Mr. DAVIS—I congratulate my hon. friend, and the ancient and venerable party to which he belongs, in having been converted to proper ideas in connection with taxation. I congratulate them on having adopted what we have been advocating for years and years.

Hon. Mr. DANDURAND—Has the Minister of Finance figured out approximately what that tax will be?

Hon. Mr. LOUGHEED—Yes, I might say it is estimated that about thirty million dollars will be realized out of the tax, namely, about ten million a year.

Hon. Mr. McSWEENEY—Not thirty million a year?

Hon. Mr. LOUGHEED—No, thirty million in all. It is only intended to continue for three years, and under the terms of the Bill it then expires, and in that time we expect to realize thirty million.

Hon. Mr. CLORAN—Just one observation for the benefit of the leader of the Government. In the Bill there is a provision whereby, after 7 per cent has been declared as a dividend on the capital of a corporation or company, taxes shall be imposed?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—On properties of individuals 10 per cent?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—Then, after the 10 per cent has been paid as a dividend on the capital, the Government shall come in for 25 per cent of the overflow profit.

Hon. Mr. LOUGHEED—That is one-fourth of one per cent—25 per cent of the whole.

Hon. Mr. CLORAN—Why does the Minister of Finance, or why does the Government undertake to allow a corporation to take 75 per cent of the overflow profits and only give to the national treasury 25 per cent? I want to aim at the men who are taking, not unduly, not illegally, not unlawfully, the hundreds of millions that are being spent in this country out of the national treasury. They get their 7 per cent on their capital. They have a profit of probably 100 per cent on the output of their factories or manufactures. Why does the Government limit these men to pay only 25 per cent of this extraordinary profit? The Government—that is, the Militia Department and the Public Works Department—make a contract with a company for ten million or fifty million dollars. That company performs its work and delivers the goods. On the accomplishment of the contract they find that they have made hundreds of thousands of dollars' profit extra over the 7 per cent. Why does the Government allow itself but 25 per cent of the profits in view of what is actually necessary in the present condition of affairs? We are not now discussing taxation according to the ordinary requirements of the country; we are discussing to-night, and will discuss later on, taxation to meet the requirements for defending and upholding the rights and the interests of the Empire and of Canada. As a member of this House, and as a citizen of Canada, I would say that every cent of profit made out of Government contracts over 7 per cent should be handed into the national treasury for the defence and integrity of the Empire.

Hon. Mr. CASGRAIN—You are right.

Hon. Mr. CLORAN—When the capitalist is paid 7 per cent on his money he is doing twice over better than what the Government gives him when he puts his money in a bank of this country or in the Post Office Savings Bank. Why should the Government allow to a few individuals 75 per cent of extra extravagant profit and only ask 25 per cent for the defence and the safety of this country? What is the Government thinking about? War measures are war measures, and a capitalist who would refuse to hand over those extra and extravagant profits on a contract made with the Government is no patriot. He may stand on the floor of this House, or on the floor of another House, or on the public platform, displaying his loyalty and his patriotism, but lip service is no good against German guns and shells and gases. What we want in the present condition of things in this country and in the Empire, is aid not only of farmer's sons and industrial boys working in the mines or shops, but we want the sinews of war, which is money; and those men who are making extravagant, I will not say illegal or unlawful or dishonest, profit out of Government contracts, whether the Government be the War Office in London or the War Office in Canada, should put those profits into the national treasury for the defence, safety and integrity of this country and of the Empire.

Hon. Mr. BOSTOCK—This Bill is a measure for dealing with taxation during the war. I am glad to see that the Government have adopted to some extent the principle of direct taxation. They are to be congratulated on starting in on such a line, but it would be much better if they had seen their way to introduce a much

broader measure than the Bill now before us. The objection that I see to this particular Bill is that it only deals with certain people, and it also is a tax on the industry and energy of the country. It does not deal in any way with the taxing of property in the form of accumulated wealth.

Hon. Mr. LOUGHEED—We may have to get after that on some other occasion.

Hon. Mr. BOSTOCK—Possibly the Government may have to extend that measure, but in the interests of the country it would probably have been a wiser move to have considered the whole question on a broader basis and to have brought into this system of direct taxation other persons who are exempt at the present time. I think I am correct in stating that the Minister of Finance in speaking on this measure took exception to anything in the form of an income tax, on the ground of the great difficulty of collecting it; but in studying this measure it seemed to me that the cost of enforcing it will be very considerable when the actual working scheme is carried out, inasmuch as it will deal with companies from one end of this country to the other. In looking at the Bill I find there is a provision for appealing to a board. The expense that companies are going to be put to in coming to Ottawa and finding out the position in which they are placed and the exact interpretation of some of the clauses of this Bill will, I think, cause a great deal of expense and a trouble to men who possibly might be better engaged in carrying on their industry. The question of direct taxation is a very important one, and I question very much whether the Government would not, in the long run, have found a system of income tax a very much better way of raising the money that they require for the purpose of the public revenue than the system that they have adopted here of taxing industry and the energy of the country. I do not propose to take up the time of the House long on this matter, because probably we had better discuss the clauses of the Bill later on, when we come to consider it in committee.

Hon. Mr. SPROULE—I should like to ask the hon. leader with reference to determining what the profits of seven or ten per cent must be produced on in the case of incorporated companies. Suppose an incorporated company make over to themselves a portion of their profits as paid-up stock, or secure it at a very considerable discount, in determining what is to be paid would that be 7 per cent on the amount of the stock itself or what the stock cost originally?

Hon. Mr. LOUGHEED—If my hon. friend will look at clauses 7 and 8 he will find a description of what capital is.

Hon. Mr. CASGRAIN—I suppose this is just an academic discussion we are having. I do not suppose the Government would admit, this being a money Bill, that the Senate have any right to make any alteration to this Bill?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CASGRAIN—That is the position the Government take, I understand?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CASGRAIN—And quite properly, too. This is just an academic discussion. Well, we have to take the Bill as it is.

Hon. Mr. McSWEENEY—Or reject it.

Hon. Mr. CASGRAIN—Yes, we have a perfect right to reject the whole thing, but I do not believe there is any idea at the present moment of doing any such thing. This Bill passed the other House without very much discussion. As I understand, it is a very difficult Bill to frame. I know that what I may call injustices are done by this Bill, but we cannot overcome them. There is a point where taxation commences at $50,000. A man might have $45,000, for instance, and be making much more money with the smaller capital than the man who has $50,000 and over and who is making very little money, but the one with $50,000 would be taxed. Nothing is perfect on this earth, and we cannot expect to find any means of taxation that would be absolutely fair to everybody. Somebody must be hurt; we cannot help that; but I do not think we can do very much by discussing this Bill if the Government takes the position, and I think properly so, that we cannot amend it.

Hon. Mr. CLORAN—It shows the uselessness of the Senate.

Hon. Mr. GORDON—If we are going into Committee of the Whole on this Bill—

Hon. Mr. CASGRAIN—We do not need to go into committee.

Hon. Mr. SPROULE—Yes, we do need to go into committee.

Hon. Mr. GORDON—What is the use if we cannot amend the Bill. We have either to accept or reject it.

Hon. Mr. MITCHELL—We might get a little information from the Government.

Hon. Mr. CLORAN—That is no good; the Government does not want any information.

Hon. Mr. GORDON—In case we are not going into Committee of the Whole, I want to place myself on record in regard to one or two things in this Bill. I may say, on the start, that I am in accord with practically the whole Bill as it applies to industrials. I think it is very fair. I don't think the amount that is going to be paid under this Act will be too much.

Hon. Mr. MITCHELL—You might be able to answer the question of the hon. gentleman (Mr. Sproule) if you know it all, about that stock, when you say you are in accord with it all.

Hon. Mr. GORDON—So I am. I may perhaps be able to attend to that. There is one clause here to which I want to object.

Hon. Mr. CLORAN—What good is it?

Hon. Mr. GORDON—That is in subclause 3, of clause 6, which gives the minister the power of saying as to what exhaustion shall be charged up against the mine. I do not think it can be done. I should like to get information as to how the minister is going to settle exhaustion. I cannot think, for the life of me, how that can be done to suit the mining people. Bear in mind that I do not think this is going to take too much money from the mines; in fact, I doubt if enough is to come into the treasury if this Bill is put through as it is—and of course it will be. I claim that the minister cannot get a mining expert in Canada, or elsewhere, who is competent to go up to those mines and in any reasonable length of time say what exhaustion should be chargeable to their operation.

Hon. Mr. LOUGHEED—We could get hold of their prospectuses.

Hon. Mr. GORDON—There are many of them that have no prospectuses in which you could get that, and even if they had prospectuses there are none, or very few of them, who are competent to say what exhaustion is in their own mines even after having had them for some time.

Hon. Mr. CASGRAIN—I have heard it said that you might get Allison to sell the mine.

Hon. Mr. GORDON—I would rather have the member for Alberta to do that.

Hon. Mr. CLORAN—You would have an honest deal if you had him.

Hon. Mr. GORDON—Having said that much about my opinion as to exhaustion, I should like to give the House my opinion as to the way in which I think the tax should be applied. I say it should be an arbitrary rate or percentage placed upon the gross value of the output of the mine, or else an arbitrary rate or percentage placed upon the net earnings of the mines without reference to capitalization. Capitalization in the mining game should not be considered at all. If the tax were collected in the manner in which I suggest, there would be no possibility of any person being treated unfairly. With this there is every possibility of a chance of being treated unfairly without the intention being there to do so. I am very sorry that this provision is there, because I realize that it is the trouble-maker of the whole Bill, and perhaps the only one; and I only want to put myself on record in that and particularly the industrial end of it. I think it is very fair. If I had my way of doing it, instead of limiting the capital to $50,000 I would have had it down to even $5,000 or $10,000, but at the same time I am perfectly in accord with this in the way in which it has been done. This evening here some person seemed to think that it was unfair to have a private individual retain 10 per cent of his profits and an incorporated company 7 per cent.

Hon. Mr. McSWEENEY—How do you explain that?

Hon. Mr. GORDON—That seems to me very reasonable as it is.

Hon. Mr. McSWEENEY—How?

Hon. Mr. GORDON—Individuals who are incorporated as companies enjoy rights which have been conferred upon them by the province, or by the State which a firm not incorporated does not enjoy. For instance, in an incorporated company—

Hon. Mr. CASGRAIN—You can only lose your stock.

Hon. Mr. GORDON—You have $10,000 paid up stock; the company fails, parhaps owing hundreds of thousands of dollars; you only lose what you have already put

into it. On the other hand, you and I are partners in a company which is not incorporated, or not a limited liability company; we fail in hundreds of thousands of dollars; each of us is liable for the whole indebtedness. Therefore I think that when the Province of the Dominion has already conferred the favour upon incorporated companies as they have, it is only reasonable that there should be a difference as to the extent of profit which will be kept by one or the other.

Hon. Mr. DAVIS—Could not the two individuals incorporate their business?

Hon. Mr. GORDON—Yes, but I am talking about a case in which they do not, an ordinary partnership. If they do incorporate their business, then they have the rights as given under the Act.

Hon. Mr. CASGRAIN—They are worse off, they can only keep 7 per cent.

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

ST. PETER'S RESERVE BILL.

DEBATE CONCLUDED.

On the Order of the Day being called:

Resuming the adjourned debate on the motion for the second reading Bill 67, "An Act relating to the St. Peter's Indian Reserve.

Hon. Mr. DAVIS—On Friday afternoon last I moved the adjournment of the debate on the motion that was made by my hon. friend for the second reading of this Bill. Now I do not know that the hon. members of this House have gone over what I said on that occasion.

Hon. Mr. LOUGHEED—Oh, yes.

Hon. Mr. DAVIS—You have?

Hon. Mr. LOUGHEED—Oh, yes.

Hon. Mr. DAVIS—My hon. friend would go over it. I was going then to show what the people of that part of the country thought of this proposition. As some of the members probably were not here the last time, I might say briefly that this St. Peter's Reserve proposition has created quite a disturbance out in the West. For the benefit of those who were not here when this matter was discussed last week, I might say there has been an Indian reserve there for over 30 years, halfbreeds and Indians have been located on it, and the people have been desirous to get them moved away and the country settled up, because it was not a good place for the Indians to be located. Government got surrender and put it through, and the land was sold through that surrender. This Government—some of the members of whom were in opposition at the time of the surrender—took the ground that this surrender was illegal, and that therefore the title should not be granted for this land. The present Government have been in power something like four years, and have done nothing in this matter. It is about eight years since the surrender was carried out and the land all tied up. Now it is not for the benefit of the Indians or anybody else to have it tied up in that way. However, the Government, in order to carry out what they advocated in Opposition, and to save their face when in power, now contend that the surrender was illegal, and submitted the case to the Exchequer Court. Without getting any decision from the Exchequer Court, they come down with this proposition that we have before us, a Bill to legalize the sale, but they want to assess the people who bought this land at $1 an acre. We object to that, because they have no right to pay it. In the pleadings before the Exchequer Court they never said a word with reference to the people who purchased that property. I was going on to say what the people of that part of the country thought about it. The Government of the day have been in power for four years and have done nothing. The people in that part of the country have discussed and have passed resolutions in regard to the matter. The town of Selkirk lies close to that district and the people of that district have been desirous for years to get the matter settled and have the Indians put away where they could do something for themselves, and not bother the civilized people. I have here a copy of the resolution of the Board of Trade at Selkirk which reads as follows:

Whereas: the initial negotiations for the surrender of St. Peters Indian Reserve were made in the year 1906, and the actual treaty covering the surrender was affected early in 1907.

And whereas: The public sale of crown lands in consequence of said treaty took place late in the same year, 1907.

And whereas: beginning in the years 1908 and 1909, and subsequently, titles to the lands purchased by virtue of said treaty were refused by the Land Titles Department of Manitoba.

Then did this Board of Trade, in the year 1908, protest against the delay in possession of the land, because of claims that were made and concurrently reported, throwing doubt upon the surrender; such protests being in the form of

resolutions duty passed and forwarded to the proper authorities of the Dominion and Manitoba Governments.

And whereas: in the year 1909, the Board of Trade did personally wait upon Hon. Frank Oliver, then Minister of the Interior, at Selkirk and petition him for an adjustment of the matter deploring the delay; and insofar as the Department, Government and party he represented was concerned.

And whereas: in the year 1910, the Government of Manitoba appointed a Royal Commission to investigate and adjudicate the controversy regarding the legality of the St. Peter's surrender, and whereas the said Commission did eventually sit, and in the year 1911 being in a majority and a minority report, one of which declared the said surrender illegal; the other holding it to be legal.

And whereas: in the year 1910, the Right Hon. Sir Wilfrid Laurier, then Premier of Canada, being appealed to in person at Selkirk, did affirm and reiterate the expressions of sympathy and consideration for the district which had suffered such delay of justice.

And whereas: in the year 1911 a Dominion election was held, then George H. Bradbury, member for Selkirk, and the original complainant against the legality of St. Peter's Reserve surrender, did assure his political supporters, that, in event of his return to office with a victorious party, that then delay would end, guilt would quickly be meted to the guilty, if any, justice done, and the deadlock which had then lasted four years finally broken.

And whereas: Subsequent to the said election and return of Mr. Bradbury to office, at a banquet tendered him at Selkirk, under the auspices of the Board of Trade, he then and there reassured his hearers of the forthcoming settlement of the whole controversy; and said: "No matter what happens, I can promise you this: The Lands of St. Peter's will never revert to the Indians".

And whereas: In the year 1912, the Board of Trade supported by a deputation of fifty members, presented to the Hon. Robert Rogers, Minister of the Interior, a petition signed by the Board of Trade, the Town Council of Selkirk, the Councils of St. Andrews and St. Clements, and by over four hundred individual citizens, praying for a speedy adjustment of the question. The minister in his reply promised to make every effort to secure speedy settlement and specifically stated, "We will settle this matter. It will not go into Court".

And in the following year, in the same room, a similar petition was presented by an almost identical deputation to the Hon. Mr. Rogers' successor in the office of Minister of the Interior, Hon. Dr. Roche, who then said "I propose to take it" (this question) "up immediately on my return for I fully realize the need for expedition. The three courses that I see open are the appointment of a commission, the cancellation of the surrender and the legalization of the deals. All agree as to the need of expedition and all are waiting for a final decision. I can promise you that I will take the matter up specially with the Minister of Justice and with my colleagues as soon as it is possible".

And in 1912 the buyers of St. Peter's Crown Lands completed their deferred payments to the Government and the said payments were received and accepted.

The Government claim the surrender was illegal, that the purchasers had no right or title to the land, though the people who purchased it have been making their payments each year, and the Indian Department and the Dominion Government have been taking that money and granting receipts, but they refuse to lift the cloud upon the title. The resolution continues:

"During the years 1912-13-14 four deputations from Selkirk waited up the members of the Government of Ottawa and interceded by every means in their power for a speedy settlement or adjudication.

And in 1914, Premier Sir Rodmond Roblin of Manitoba offered to intercede at Ottawa in an effort to bring about a settlement of the matter. In furtherance of this promise he went to Ottawa and personally appeared before the Cabinet and Premier and did formally intercede and request a definite adjustment, out of the court.

And during all these years, this Board, by letters, interviews, and formal resolutions have repeatedly pressed for settlement without further delay.

And in 1915 the municipal councils of St. Clements, Selkirk and St. Andrews, have petitioned demanding an immediate adjustment by Parliamentary confirmation of the surrender.

Be it therefore resolved; this Board endorse the position taken by the municipal councils, who are so directly affected, recognizing the intolderable conditions which impel them to their demand for the effective solution suggested.

And further, that this Board now reiterate its position with respect to the St. Peter's Reserve surrender as set forth in the last Annual Report, namely:

"It is now eight years since the legality of St. Peters Reserve surrender was questioned and the issue raised thereon a matter which involves forty thousand acres of the finest land in the Red River Valley, the future home and welfare of a land of Indians, an investment running into many thousands of dollars upon the part of a large number of men and finally, and principally, the agricultural development of this body of land to the consequent improvement of business conditions through the entire province of Manitoba, is too important to be the play-thing of politicians forever. "Any justice is a matter of such far-reaching importance which if delayed without excuse of justification over a period of eight years, ceases to be justice."

That is from the Board of Trade of Selkirk. That Board of Trade is acquainted with all the facts. They are right on the ground and know all about it. Here is a copy of the resolution passed by the St. Clement's council.

Whereas the unsettled question of the validity of the surrender of St. Peter's Indian Reserve (apart from its injurious effects to many individual residents of this municipality has been and still is a great injury to this municipality in its corporate capacity, and such injury has been steadily becoming more acute until now it can fairly be said to be almost intolerable.

This legal question (aside from the fact that it has resulted in the lands being to-day less settled, less occupied and less cultivated than they were at the time of the surrender) has necessarily rendered doubtful and thereby temporarily suspended and practically paralysed our jurisdiction as a corporation in respect of these lands in all matters whatsoever but especially in these four things, namely: roads, ferries, schools and taxes. All surveying or improving of roads is necessarily postponed until the question is settled. Similarly with the establishment and maintenance of ferries acros the Red river.

Similarly with the establishment and maintenance of public schools districts in this territory.

So, too, our assessment, taxes and tax sales in this territory are a constant source of worry, loss and expense, with litigation always more or less threatening us.

So, too, with our pound by-law and herd by-law and the by-laws for good government and morals.

At every points our jurisdiction is unsettled and the result is absolute confusion and substantial loss to this corporation.

And whereas in our judgment the delay of the proper authorities at Ottawa or Winnipeg, or both, (we express no opinion as to where the responsibility lies) in settling this action has been and is entirely unjustifiable and inexcusable. All the facts were fully known to the authorities within at most a year after the surrender and yet no action has been taken until a few months ago when a suit was started by the Dominion Government in the Exchequer Court of Canada to set aside the surrender.

We emphatically protest against this suit. In the first place, whether the final judgment of the courts be for or against the validity of the surrender, the great delay necessarily involved in securing such final judgment would be unfair to this municipality intolerably unfair when added to the already unwarranted delay in starting the suit.

Secondly, if the final judgment should set aside the surrender then a further period of delay would be added for negotiating a fresh surrender and arranging and carrying out allotments and issuing fresh patents consequent thereon. After the past delay we are surely entitled to some quicker mode of settlement that this.

In the third place, if this surrender is set aside, it is extremely doubtful if another surrender should be negotiated or secured at all; and for this territory to again become or to continue indefinitely as an Indian Reserve would be nothing short of a calamity to this municipality, economically and socially as well as financially.

Fourthly, and lastly, the grounds set forth in the said suit (the writ or information in which has been read by this council) are purely technical in their nature and consist of irregularities upon the part of the Government officials concerned in the surrender and in no may whatever charge any blame against the defendants. The present holders of the title, under the circumstances, even if the grounds of the suit are true in fact and sufficient in law, (as to which, of course, we express no opinion) they are of such nature as to clearly call (on public grounds not for cancellation of the surrender, but the very opposite, namely, its confirmation. If such confirmation calls for any compensation to the Indian (as to which we express no opinion) then the Government whose officials committed the irregularities should surely make such compensation.

Now therefore, for these reasons, this municipality in its corporate capacity hereby urges and demands, as the quickest and most equitable and satisfactory mode of settlement of the question, that the surrender be confirmed by the proper governmental or legislation authorities without further delay; and that a memorial in accordance with this resolution be prepared and executed on behalf of the municipality by the reeve and the secretary-treasurer under the corporate seal, and that the same be communicated to the councils of the town of Selkirk and the rural municipality of St. Andrews respectively with a view to their concurrence therein, and that this resolution or such joint memorial be communicated to the Honourable Minister of the Interior for Canada; G. H. Bradbury, Esq., M.P., the Minister of Public Works for Manitoba and D. A. Ross, M.P.P., with a request for immediate attention and early reply, and also to "the Selkirk Record," (which paper this council heartily comments for its non-partisanship and public-spirited course and attitude upon the said question).

I could go on and read dozens of resolutions from different public bodies in that part of the country with reference to this matter. I want to point out that the Government for four years did nothing. The people got very hostile. It was not a matter of politics at all. It was a matter which concerned the people in that part of the country. I have here a report of a public meeting at Selkirk. Our good friend, Mr. Bradbury, started all this trouble, and he found it was like a boomerang. He started something he could not stop. The people up there were suffering and wanted to get this matter straightened up, and as a body of citizens they held a meeting. I read from the Winnipeg Telegram, March 30, 1915, the following:

A mass meeting of citizens was held at Selkirk last night. It was one of the largest and certainly the most representative meeting of the district that has ever gathered together. The meeting had been called to discuss the St. Peter's Indian surrender, and its temper and opinion may be gauged by the wording of the resolution which was passed by an absolutely unanimous standing vote at its conclusion, as follows:

"That this public meeting of the citizens of Selkirk and district, as assembled without personal interest or political affiliation, actuated by the acute realization of the gross injury that has been and is still being done to the district through the non-settlement of the St. Peter's Reserve surrender over a period of eight years;

"Hereby resolved: That a body representative of the entire community and district, we are firmly convinced that the common injury and injustice being wrought by the hold-up of these lands from occupation has created a situation, the continuance of which would be intolerable.

"Further, that the Indians as a body, are and have always been fully satisfied with the surrender and its terms;

"And finally; as the only solution of the present deadlock without still further delay, loss, and expense; we hereby demand of the Government the confirmation of the surrender and the immediate issuance of titles to the land."

Feeling in Selkirk over the eight year delay in the opening of St. Peter's Reserve land has burst into united opposition at the present prospect of long-drawn out Exchequer Court and Privy Council litigation, and last night's meeting of protest was a spontaneous gathering of sincere men. Pearson's Hall was packed, many standing, and unusual attention was given to every speaker. President Blackert; of the Board of Trade, called the meeting to order, and Joseph Grisdale was elected permanent chairman. Addresses were delivered by the following:

Mayor D. G. Ross, who spoke forcefully and at length, denying the claim that any permanent wrong had been done the body of Indians, and further in regard to the financial and industrial loss entailed to the town of Selkirk; Bruce Campbell, secretary of the Board of Trade, George Frank, Reeve of St. Clement's Municipality, who detailed the financial loss to the municipality; J. E. Harriott, jr., of Cloverdale, Councillor of St. Andrew's Municipality, who gave similar figures for the district he represented; David Morrison, who told of the splendid conditions under which the Indians were living in their new reserve at Fisher river; Arthur C. Clare, St. Andrew's, who vigorously attacked the hold-up policy and minced no words in placing the personal responsibility therefor; F. A. Gemmel, who declared that both political parties had neglected the interests of the community; E. G. Blackert, J. McClure Muckle, of Clandeboye, and B. S. Benson, mover of the resolution, which was seconded by F. W. Hooker.

From the platform of the meeting, and in the little groups that discussed its action afterward, the sentiment everywhere expressed was that this meeting was a remarkable demonstration of the absolute unanimity of opinion in Selkirk and its rural countryside on the question of this surrender. Noticeable among the audience was a group of a dozen members of the St. Peter's Indian band, who followed every speaker with great interest.

At a meeting of the Board of Trade Council held after the mass meeting, it was determined, in view of the interest and success of this meeting, to hold a series of non-partisan meetings throughout the constituency, in order that the people of the districts not so directly affected might learn the facts behind the determined stand of Selkirk. The first of these meetings was arranged to take place at Dunara, next Saturday evening.

That was a meeting which was held in Selkirk of both parties. The chairman was a strong Conservative and the leading speakers likewise. It was not a political meeting. People up there know that it is simply ridiculous that things should have gone on in this way. It was brought up, in the first place for political reasons. It was put in the Exchequer Court for political reasons, and now for political reasons it is going to be settled with a string on it. I have here the file brought down with reference to this matter and on it I find certain letters which go to show that the Government has taken some action and brought down this Bill for political effect. There is no doubt at all about that. One of these letters on file reads as follows:

Right Hon. R. L. Borden,
Prime Minister,
Ottawa.

Dear Sir,—I am taking the liberty of bringing to your attention some of the facts in connection with a difficulty of seven years standing —the St. Peter's Indian Reserve case.

The Liberal Government while in power, commissioned Honourable Justice Howell to effect a surrender of the St. Peter's Indian Reserve as a result of representations made by the people of Selkirk, in order to gain a greater measure of development in that section, and which lands immediately adjoined the town of Selkirk on its northern boundary. Instead of conforming to the statutory form of surrender, the commissioner permitted himself to be prevailed upon to the extent of allowing the Indians to sell a portion of their lands, and the balance was to have been sold in accordance with the usual method employed in effecting surrenders under the "the Indian Act". A surrender was effected, and in due time, in accordance with the regulations, the land surrendered by the Indians was advertised to be sold by auction, and the lands which the Indians secured for their own use and sale have mostly been disposed of. The act of selling the lands surrendered, was in accordance with the regulations governing the sale of Indian lands, and the purchases who bought those lands, bought them on the condition imposed at the time of sale. It is conceded that the purchasers have complied with the conditions, and in common law, are entitled to patent deed or title from the vendor, "the Dominion Government". In so far as the commissioner departed from the regular method of effecting a surrender in allowing the Indians to sell some of the lands, there is a well established impression in the minds of the public that the lands bought directly from the Indians, is open to criticism, yet, in as much as the Government of the day, through their officials permitted such a condition, and that most of these lands have since been sold, it is a matter that in the event of a case or cases being brought before a Court of Justice, could readily be determined whether or not the Indian had been fraudulently dealt with, and if fraud were discovered, a suitable penalty could be imposed. In so far as the lands sold by auction under the direction of the Dominion Government are concerned, the fact is that the Dominion Government stands in the position of vendor, and those who bought the lands in the position of purchasers. Therefore, when the conditions of sale have been complied with, the purchasers are entitled to reserve a conveyancy from the vendor.

Now this question has caused very considerable agitation, and we in Manitoba, (more particularly in the constituency where Dr. Montague, Minister of Public Works in Manitoba Government is a candidate) feel the brunt of all this all-feeling, and the success of the campaign

on his behalf is materially affected by the delay in disposing of this question. To continue delay in settling this question, cannot but be attended with results inimical to our party here and in Ottawa and inimical to the interests of our member, Mr. Geo. H. Bradbury. No better act could be done on his behalf than to place him in a position whereby he may receive and secure the unanimous support of the party which at the present time is endangered by the fact that not only Liberals, but Conservatives as well have purchased these lands, and the moneys invested are held up until a settlement is effected.

I can assure you Mr. Borden it is a hardship on the community to have these lands tied up and withheld from settlement and sale. Even now, large industries have made preliminary negotiations for establishing plants on these lands, and no community can afford to have obstacles in the way of actual development and the people feel strongly on this question. should not we be able to secure these industries, it will undoubtedly set us back and the effort to secure others will be harder and possibly not attended with as good prospects as we have at the present time. I sincerely trust your personal attention to this matter will produce the result, of relieving the community of the incubus of retarded development, and thereby gain the profound gratitude of the people and of the Conservative party in Manitoba.

I have the honour to be,
Yours faithfully,
(Sgd.) A. J. Norquay.

He is a son of the late Prime Minister of Manitoba, Mr. Norquay. He is a leading Conservative and knows whereof he speaks. He has held several very important positions under the Government in the West, and he says in this letter to the Prime Minister that if you do not do something to settle this thing it is going to hurt Dr. Montague.

Hon. Mr. CLORAN—And Bradbury.

Hon. Mr. DAVIS—And Bradbury. He practically says that Mr. Bradbury cannot get along unless something is done. Lo and behold, as soon as this letter comes it is put on file. Sir Robert Borden sends this letter to Mr. Meighen, who says he will follow this thing up at once, and the case is taken out of the Exchequer Court and this Bill is brought down with a string to it of a dollar an acre, to try to save the face of Mr. Bradbury and somebody else. Now I want to know why those people who purchased this land should be mulcted for a dollar an acre? If this sale was wrong, then let them go ahead in the courts and have it declared off. If it is illegal why should they not do that? The claim Mr. Bradbury made is that the Indians are losing $15 an acre, that they sold their land for $5 and a little over when it was worth $20 an acre. That was very bad, according to Mr. Bradbury, but now this Government is coming down to a proposition to beat the Indians out of $14. They practically say, "You were going to beat them out of $15 and we will beat them out of $14." The whole thing is ridiculous and has been so from the first. There is no doubt that, as a matter of public policy, the late Government did what was right with reference to that surrender. This reserve had been a sore spot in that country for 30 odd years. As I explained the other day, it was not like any other reserve; there were white men spread all over it who had locations and who could bring in whisky; it was right alongside the town of Selkirk where those people were getting drunk and raising a disturbance, and everybody wanted to get them away from there, and it was necessary to make a bargain with the Indians to accomplish that. From every angle the Government had to do it. In the interests of the Indians themselves it was a good thing to get them away from liquor and settled in a place where they could do something for themselves; in the interests of Selkirk and the surrounding country it was a good thing; in the interests of morals it was a good thing; from every angle it was a good policy. The Government knew that they would have to get this surrender, and they sent Mr. Howell up there. He arranged the terms of surrender and made his report, and the Government sent up these officials to carry it out. Those officials have been abused from pillar to post for doing what they were sent up to do. They were sent up there to get that surrender. They were not sent there to tell the Indians, "You are not making a good bargain, and you should stick close to Selkirk." They got that surrender and they got it legally; it has never been proven that they did not get it legally, and I venture to say if it went through the Exchequer Court that it would be found out that it was legal. The Dominion Government was a party to it; their officials went up and got a surrender; the land was sold, and innocent people got the land. Why are they not entitled to their patents without being mulcted? Some people say they are satisfied. There is some correspondence on the file to show that some of those people are satisfied, but I have spoken to some of them who are the hon. gentleman's political friends, and they say they are satisfied because they have to be satisfied; they say that they have been held up, and if it is necessary to pay another

dollar an acre to buy peace let the Dominion Government pay it. The Dominion Government sold this land and took their money, and the patents were registered under the old system in Selkirk, and now the Government comes along and says the title is no good. By the speeches of some of our principal men they say, "We have attacked this patent and you must pay us one dollar an acre." For the Government of this country to get down to such miserable pettifogging as that when they haven't a foot to stand on is ridiculous. They never proved a thing against the people who bought the land; the land was advertised and sold in the ordinary way; there is no suggestion that the men who bought this land did not acquire it legally and pay for it. The Dominion Government made the sale. The matter has been dragged along three years in the House of Commons to allow Mr. Bradbury to make political capital, and now, when they find that the shoe is pinching and the people up there are getting hot, they have to take it out of the Exchequer Court, and they are going to settle it. They ought either to go ahead in the Exchequer Court or give the people title to this land; there is no other way of doing it. It is either right or wrong. If it is bad, according to their own argument, to beat the Indians out of $15 an acre, surely it is not good to beat them out of $14. The very fact of bringing down this Bill is sufficient evidence that the Government considered that surrender all right. When the surrender is all right the purchasers should get their title. They put a cloud on the title themselves and ask for a dollar an acre is merely a hold-up. There is not a man that bought those lands but feels that he is being held up to the extent of a dollar an acre. The argument they used with the Indians was, "Oh, you gave 21,000 acres of land away." Those Indians were practically half-breeds, who had settled there before the Manitoba Act came into force, and under that Act every man that squatted on land was entitled to the land he is living on, and those half-breeds were given a right to enter the Reserve as Indians or take citizenship. They went into the Reserve as Indians, but never allowed their claim to those lands to lapse; they always held the land. What right had the Dominion Government to dictate to those people what they should do with this land after giving it to them? The halfbreed owning a piece of land said, "that is mine, I have been on it 30 years, and I want it." Mr. Howell, after investigating all the facts, said, "Yes, you are entitled to it." An arrangement was made and they got this land; they did not get a title, but they got as good as a title, and because in some cases they sold this cheaper than they should have sold it, the Government and the officials are blamed. Now, the Government is not to blame for that; the Department of Indian Affairs did everything they could to stop the Indians from making away with it; they even went so far as to write a letter up saying that no transfer from the Indians would be recognized, that they were going to issue the patents practically to the people who owned this land to try and lessen the trouble of them selling it too cheap. But if they did sell it too cheap, it was theirs; the Dominion Government had nothing to do with it. I submit that after this trouble has been hanging on for eight years, and played with like a football, as the people of Selkirk say, it is time to settle it in an equitable way by treating the people decently. The party who held it up was the Registrar General of Manitoba, Mr. Macara, who had no more right to do so than the man in the moon had. He was told to hold it up by the Roblin Government, who appointed the commission to investigate Indian lands, and they had no right to appoint that commission. It was all politics, and it is politics to-day, and if they want to settle this the best way is to give the title to it to the people who bought the land.

Hon. Mr. LOUGHEED—This is very reasonable—a dollar an acre.

Hon. Mr. DAVIS—I wish to draw my hon. friend's attention to the cry that was raised in the other House about the poor Indian, that it was not a just surrender, that you are going to make away with his lands, and so on; but my hon. friend forgets that two years ago his own Government brought down a measure to this House that I had to fight, to sell the Indians' lands without consulting the Indians. Does my hon. friend forget that?

Hon. Mr. LOUGHEED—No; we cannot please you no matter what we do.

Hon. Mr. DAVIS—He sympathised with them to such an extent that he said, "We won't consult you when we want a surrender; we will just go and kick you off," and now they claim that they was not a proper surrender in this case. However, they have acknowledged, by bringing in this Bill, that it was a proper surrender, and they

are going to issue the title. By what right or justice can they ask the purchasers of that land to pay this extra dollar an acre? It is a small, petty, measly bit of business, and when we go into committee I am going to move that clause 2 be struck out.

Hon. Mr. CLORAN—It is a money Bill; you cannot do it.

Hon. Mr. DAVIS—No, it is not a money Bill.

Hon. Mr. WATSON—I most heartily endorse what the hon. member has said.

Hon. Mr. LOUGHEED—I thought you were going to support the Bill.

Hon. Mr. WATSON: I will support the bill with the dollar knocked out. I cheerfully second the resolution of my honourable friend. We are asked to make good the credit of Canada. In a few days we are going to be asked to vote $23,000,000 to make good the credit of Canada. It seems to me we ought to make good the credit of the Crown.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. WATSON: The Crown has made a sale of lands by public competition and a great many people have been purchasing those lands and they are now asked to pay a dollar an acre to get a title that they can register and sell the land. Everything that has been said by my hon. friend is history and has been for a number of years, because shortly after the sale took place an interference was made and the titles were held up. For the last twenty-five years there has been an agitation at Selkirk for the purpose of getting surrender of that Indian Reserve. Every person must know that where an Indian reserve butts up against a town the size of Selkirk, the people of that town are anxious to get rid of the reserve for good reasons. One reason is that the Indian becomes a nuisance because he is contaminated by the white man and whisky; another is that they want settlers on the land to support the town, and the municipality of St. Clement's and the town of Selkirk have for the last twenty-five years been agitating to get rid of that reserve. Some years ago, after report was made to the late Government, Chief Justice Howell was asked to go there and make a report as to what he considered would be a fair deal for the Indians in connection with that reserve—whether the reservation should be disposed of, because it has been stated by the member for Prince Albert that a number of Indians on that reserve had separate holdings as natives prior to the reserve being set aside. Mr. Howell went down there and talked with the Indians and amongst other things he suggested that the Indians who had occupied land as squatters, or settlers, should have a proportion of land to themselves independent of any reserve entirely. I think the amount allotted was twenty-one acres to each individual of a certain class who had occupied those lands for a number of years. He also made the suggestion to those Indians, which was not acceptable to them that they should make the Rev. Mr. Symons, who was an Indian agent, a trustee for their holdings. The Indians objected, and the result was that when the transfer was made after the surrender those men got their twenty-one acres of land. Exactly what Mr. Howell suggested might happen did happen. Those Indians sold the land, as they had a right to do. Then Mr Howell, to try to prevent that sale being conducted by the Indians, tried to dispose of the title to the twenty-one acres of land which were sold for a few dollars, and as a bluff suggested to the registrar of Manitoba that they should advertise that the Indians could not sell the land, and thus stop the sale of those lands, and the registrar was instructed to advertise that they would not acknowledge the surrender of the title. later on, when Mr. Bradbury got busy, they enforced that instruction they had given to the Registrar of Titles. That surrender was arranged by Mr. Howell, Chief Justice of Manitoba. He made a report to the Government. The Government instructed their officers to proceed to the reserve and to secure the acceptance of the Indians to the surrender. After the land was advertised for sale at public auction it was sold to the highest bidder and they bought, paid their money and expect to get title. Now the Government introduces this legislation at this late date, after the suit has been withdrawn from the Exchequer Court. The titles were issued, but as the registrar would not register them, they could not dispose of the land. They refused to pay taxes, hence that petition from St. Clements municipality in which the reserve is situated. If that reserve was not properly disposed of the whole thing should be set aside. I say it is an injustice which should not be tolerated and we ought to make good the title of the Crown by giving those people the land at the price at which they bought it. I think

possibly that half of those lands were sold to American citizens because at that time a number of Americans were coming into that country buying up land and settling up the country. Well, it is a nice advertisement to say that they buy land from the Crown's auctioneer and eight years afterwards are asked for another dollar an acre. I say it is nothing but a system of blackmail and should not be sanctioned by this House, and personally, knowing a good deal of the circumstances in connection with this matter, I shall surely vote for striking out that extra dollar an acre. I am not a lawyer, but I cannot see how this Government can interfere with the registration of the title of that land. I understand the patents were issued, and the registration ought to be within the jurisdiction of the province of Manitoba, and I cannot understand how this Government could interfere with the registration of those titles. But they claim that the titles were held by the late Government of Manitoba. When Dr. Montague, now deceased, was running an election in that constituency as a member of the Manitoba Legislature and Minister of Public Works, one of his pledges to the electors was that if he was elected those people would get titles to their land within three months and the whole matter would be settled.

Hon. Mr. DAVIS—Without any dollar to it, too.

Hon. Mr. WATSON—That was the promise, and my hon. friend has read the declaration from St. Clement's municipality, and it should be sufficient justification for the people in Ottawa and the Parliament of Canada to issue those titles to the people who bought this land. It is not charged that the sale was not properly conducted or the sale was not properly advertised, the only charge is that the land was not properly secured, an insufficient number of Indians being present. My hon. friend has given the figures, and I venture to say that if that surrender can be set aside there is hardly a surrender made in the whole Northwest that could not be set aside. Practically every one of them could be set aside. In fact, every one of them could be set aside. Why should we interfere and hold up these people because Mr. Bradbury wanted to embarrass the late Government in their dealing with the land? I do not think it is fair, and I trust that the sense of this House, which is not affected by politics as the other House is, will see to it that justice is done to those people in the purchase of their lands.

Hon. Mr. DANDURAND—I reside very far from Selkirk, and simply know about the matter as I have heard it discussed in the other House and here, and there is something about it that is so extraordinary to my mind, that I should like to know from the hon. leader of the Government if I have a right view as to the facts. The Crown, being the representative of the Indians, decided upon a certain procedure which would bring about a sale of an Indian reservation. It followed the procedure to bring about the surrender of the reservation and the sale of those lands. I find that those lands are to-day in the hands of six hundred and fifteen owners, or purchasers. Now who sold those lands to the purchasers? The Crown, the King—at public auction.

Hon. Mr. WATSON—Properly advertised.

Hon. Mr. DANDURAND—A title has been given, by whom? By the King. Who attacks that title to-day before the Exchequer Court? The King, and he brings before one of his courts six hundred and fifteen purchasers and wants them to defend an action to effect the annullment of the sale which was sought for and made through his officials. What kind of legislation have we before us? In the name of the King, the purchasers, who are being sued before the Exchequer Court, are told they will either have to defend that action or pay as many dollars as are represented by the acres they own or have bought. It may be said that they are not obliged to pay a dollar, that they are ordinary defendants, and that they can proceed to have this petition dismisssed. Let us put ourselves in the shoes of those 15 purchasers who live in Manitoba. They are made parties to a suit over a contested title, and driven to the alternative of either spending their, good money to have that title declared valid, or of paying from $200 to $500 or $1,000 according to the number of acres they purchased. Under what principle should that be done? Not, surely, because the purchasers are accused of fraud. Most of them are admitted to be innocent holders and purchasers. From declarations of Ministers of the Crown in the other House, I have the statement that they are honest bona fide purchasers. If that is so, who is in the wrong, if there has been any wrong committed in this transaction? Who? The vendor. It is the vendor, the King or his officials who are accused of having done wrong in his matter. If the procedure is

vitiated, it has been vitiated by the act of the King or his representatives, and we will have to take for granted that the King will take advantage of his turpitude to extract money from bona fide producers.

Hon. Mr. LOUGHEED—The King can do no wrong.

Hon. Mr. DANDURAND—He can do no wrong, but his name is used in this action. In the Exchequer Court of Canada there is a case going on between His Majesty the King represented by the Attorney General of Canada, as plaintiff, and those 615 purchasers. This action can only succeed if the deed is vitiated by the act of the King's representative. Well, there is no pleader between man and man who could come to court and plead his own turpitude to do wrong to a party with whom he has had dealings, and much less His Majesty the King. Who is the sufferer? Because I am not going into the merits of the allegations of fraud or turpitude which may have been committed in this transaction. Supposing there be, who is the sufferer? It is alleged that the Indians would be the sufferers because the purchase money will come to them. Is it to be said that under such circumstances as those which exist, the Crown will mulct those innocent bona fide purchasers of any sums of money, let it be a cent or a dollar per acre? The total sum to be collected amounts to $35,000 or $40,000. Inasmuch as it is the vendor, represented by the Government of Canada I call the attention of my hon. friend to the fact that there is but one Government of Canada, whatever the year in which we are, or whatever the year in which the transaction was made. Ministers may come and ministers may go, but there is but one Government of Canada. Is it to be said that the Government of Canada, if it has made an error, or if it had been badly served by its officials, would mulct innocent bona fide holders out of any sums of money under the pretext that some people in the transaction have by their own ignorance suffered to a certain extent. The extent in this case is $35,000. If I were the Government of Canada, feeling my responsibility towards those purchasers who bought from me, I would put an item in the supply Bill and pay that extra dollar to the Indians if I felt strongly that there had been a loss to the Indians through a transaction of mine. If I felt strongly that there was such a loss, I would recoup them in that way, but I would not permit an injury to be done to innocent persons in order to satisfy a moral claim somebody might have against me.

Hon. Mr. CLORAN—This is too small for the Government.

Hon. Mr. DANDURAND—That is how I view the situation, and if I am in error I shall be very happy to be corrected. I have been in this Chamber for 18 years. The wind may be raised in other parts of the building, and I may be unaware of it. I confess I knew nothing of it. If I did hear the name of St. Peter's Reserve, it has gone from my memory.

Hon. Mr. LOUGHEED—This is a case in which hon. gentlemen have worked themselves into a state of very considerable heat and seemingly have overlooked many of the important facts which have entered into the transaction. A surrender of this reserve was brought about through perfectly constitutional means. Proceedings were taken by the Provincial Government of Manitoba for the purpose of making a full inquiry into the facts.

Hon. Mr. DAVIS—By whom?

Hon. Mr. LOUGHEED—The Manitoba Government.

Hon. Mr. DAVIS—What have they to do with it?

Hon. Mr. LOUGHEED—You were attacking the Manitoba Government a short time ago on account of the attitude which they took relative to the registration of the titles. They had everything to do with the question. They had this to do with it; it was for the provincial authorities to determine whether a valid title had been issued that could be placed upon the registry books of the province. That was a law to be administered by Manitoba. They appointed three judges, and two of those judges, Justice Prudhomme and Judge Locke, found that the surrender made by the Indians to those lands, which at that time constituted their reserve, was null and void and an invalid surrender.

Hon. Mr. WATSON—On what ground?

Hon. Mr. LOUGHEED—I cannot tell what ground, but in the first place one ground, and one of the material grounds, was that the majority of the Indians had not participated or engaged in the surrender. That was a very substantial ground.

Hon. Mr. DAVIS—Was it not just the same kind of surrender as every other surrender in the country?

Hon. Mr. LOUGHEED—Apparently not. I am not prepared to say that. I will assume that three judges who were appointed to investigate so important a matter——

Hon. Mr. DAVIS—What did the other judge say?

Hon. Mr. LOUGHEED—They should have known what they were making inquiry into, and taken into consideration the provisions of the Indian Act governing surrenders and the majority of the judges made a finding that the surrender was null and void, and recommended that the surrender should not go into operation.

Hon. Mr. DAVIS—What about the other judge?

Hon. Mr. LOUGHEED—He made an minority report, just the same as any dissenting judge.

Hon. Mr. DAVIS—He said it was all right.

Hon. Mr. LOUGHEED—That might be, but my hon. friend knows that when a case comes before a properly constituted court and two judges render a judgment, and the third one gives a dissenting judgment, we are not much concerned with the judgment of the dissenting judge, because the only finding to which force can be given is that of the majority of the judges. We start off with vindicating the position taken by this Government, being supported by the finding of this particular commission consisting of three judges, two of whom found in favour of the contention which was advanced not only by the Provincial Government, but by this Government.

Hon. Mr. DANDURAND—With whom did it lie to say that the majority of the Indians were properly recorded in the surrender?

Hon. Mr. LOUGHEED—As I understand it the Indian Act makes provision as to the conditions which shall be observed when a surrender takes place.

Hon. Mr. DANDURAND—But who had to see that those conditions were properly carried out?

Hon. Mr. LOUGHEED—I apprehend that the Dominion Government would have to see to that, but it was alleged, and I think there was every ground for the allegation, that certain officials of the Government entered into a conspiracy for the purpose of bringing about a fraudulent surrender by inducing the Indians to surrender alienate valuable lands to would-be purchasers at an inadequate price.

Hon. Mr. DAVIS—That has never been proved.

Hon. Mr. DANDURAND—That does not matter.

Hon. Mr. LOUGHEED—That is the case, and this commission found that the surrender was invalid, and null and void and should be set aside. This Dominion Government being the wards of the Indians and responsible for the administration of Indian lands, and funds, and for protecting the interests of Indians, referred the matter to the Exchequer Court. Hon. gentlemen surely cannot take exception to the Government referring this matter to the Exchequer Court, which is a tribunal brought into existence for the purpose of determining questions of this kind, and the parties who are purchasers—I do not know how many there were, or who they were—were made defendants to the proceedings. It must be obvious to hon. gentlemen that if those parties were so confident that the surrender was one that should be enforced, they would have proceeded with the litigation instituted by the Dominion Government or by the Crown in the Exchequer Court, but they did not do so.

Hon. Mr. WATSON—But the Dominion Government withdrew the suit.

Hon. Mr. LOUGHEED—No.

Hon. Mr. DAVIS—Why is the Government bringing in the Bill?

Hon. Mr. LOUGHEED—If my hon. friend will possess his soul in patience until he learns what is taking place it would be better. He has been so carried away in this matter that he has not investigated the facts.

Hon. Mr. DAVIS—I have all the facts.

Hon. Mr. LOUGHEED—And the main thing is to ascertain the facts before pronouncing judgment, particularly in a matter of this kind. The Crown instituted proceedings in the Exchequer Court for the purpose of determining whether this surrender was valid or invalid, and brought all parties before the court. Those parties, instead of allowing the Crown to proceed to a determination to the question at issue, approached the Government with a view of compromising the matter. They took the matter up with the Department of Justice, and negotiations were conducted

by the solicitor or counsel of those purchasers, and they ultimately arrived at this compromise of paying an extra dollar an acre, which would place from forty-three to forty-five thousand dollars to the credit of the Indians of the St. Peter's reserve.

Hon. Mr. DANDURAND—That is a very important fact, because that would settle for me the whole question if my hon. friend would show me the settlement.

Hon. Mr. LOUGHEED—That is the case.

Hon. Mr. DANDURAND—That is the first time I knew of it, but if there has been a settlement between those purchasers and the Minister of the Interior that is a finality.

Hon. Mr. LOUGHEED—You may read what the Minister of the Interior said on the subject when it was discussed in the House of Commons.

Hon. Mr. CLORAN—Read what the purchasers said.

Hon. Mr. LOUGHEED—The purchasers were not in Parliament and had nothing to do with appearing upon Hansard, but this was a matter coming within the Department of the Interior, and the Minister of the Interior, as my hon. friend knows, is charged with the administration of Indian Affairs. This matter came up in the House of Commons on March 23rd. The debate was as follows:—

Mr. ROCHE: At any rate, this Government felt that the Indians had not been fairly dealt with, and that the surrender had not been valid; consequently, some two years ago or thereabouts, the Indian Department handed this case over to the Justice Department, with instructions to take whatever action they, in their wisdom, should deem necessary. The case was entered in the Exchequer Court of Canada.

Sir WILFRID LAURIER: Between what parties?

Mr. ROCHE: The Government on the one hand, and the purchasers of the lands on the other. After a time, overtures were made by the purchasers of these lands desiring to effect settlement with the Government without having the case proceed to trial. Negotiations were conducted for some considerable time between the Justice Department and the barrister representing the purchasers of the lands, and for a long time they failed to arrive at any satisfactory solution of the difficulty. In June of last year, in view of that uncertainty that always exists with regard to the termination of legal cases—for whichever party lost there would be an appeal to the Privy Council—also in view of the fact that the developments of the country adjacent to the town of Selkirk would be held up, and that the purchasers of these lands would be placed in an unenviable position, it was deemed advisable to accept an offer which was eventually made by the purchasers of the lands. It was decided that we should confirm the surrender and allow the titles to be passed upon favourably by the registrar, upon the payment of an additional dollar per acre by the purchasers of the land. This would mean, in round numbers, an addition to the Indian Fund of about $43,000 or $45,000.

In pursuance, therefore, of this agreement, and of the settlement of the proceedings in the Exchequer Court, and of the difficulty which has arisen in Manitoba as to the registration of the titles, we have brought in this Bill and appeal confidently for its acceptance. And now I am satisfied my hon. friends from Prince Albert, from Portage la Prairie and Lacombe, having learned of these facts, will support the Bill.

Hon. Mr. TALBOT—I could if I had known that all the purchasers entered into that agreement.

Hon. Mr. LOUGHEED—I understand a solicitor appeared for all the purchasers.

Hon. Mr. CLORAN—We don't want your understanding; we want the straight facts. You stated here that the purchasers of these lands signed an agreement whereby they were to have their titles on the payment of a dollar.

Hon. Mr. LOUGHEED—I said their solicitor or their counsel.

Hon. Mr. CLORAN—A barrister representing the purchasers?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—Now Parliament is entitled to know how many out of the 615 purchasers signed that agreement or authorized the parties to make that agreement.

Hon. Mr. BOSTOCK—In making this agreement with the purchasers, how did that make the sale more valid than it was before?

Hon. Mr. LOUGHEED—Parliament is making it valid.

Hon. Mr. CLORAN—Under false pretences.

Hon. Mr. CASGRAIN—I have no doubt that the minister, in making that statement, did not make it just on verbal information. There must be in the department something reduced to writing.

Hon. Mr. LOUGHEED—Certainly.

Hon. Mr. CASGRAIN—If the leader of the Government would be good enough to bring us some article signed by the solicitor—and if that solicitor represented all

those people, he had a right, I suppose, to deal for them—then there would be no further difficulty. If I go to a Government sale and buy land, surely the Government cannot plead against its own acts and say that I did not pay enough at the sale. I think it would be better to adjourn this debate, and before the third reading, if the Government will be good enough to bring something to show that there was an agreement to satisfy us, it would be more satisfactory.

Hon. Mr. LOUGHEED—I will find out and bring down the papers.

Hon. Mr. WATSON—So far as I am personally concerned, I care not what the barrister may have signed. The Government were holding up this land; they could not register the titles; and I do not think that legislators should encourage the Government or anybody who had power to blackmail those innocent purchasers. There has been no evidence shown by the leader of the House that this sale was not properly conducted. There was a doubt as to proper security, but that is the representations by the Government's own agents. A board of three judges was appointed to settle this matter in Winnipeg. Two of the judges made a majority report, the third dissenting that in regard to the interpretation of the Act with reference to the surrender, there was not a sufficient number of Indians, and the two judges claiming that there should have been all the Indians of the reserve agreeing to the surrender. The other judge said as long as a sufficient number of Indians were present and made the surrender it was valid. If the ruling of those two judges who made the report was adhered to, there would hardly be an Indian reserve properly surrendered in the whole Northwest.

Hon. Mr. DAVIS—My hon. friend in his statement about this proposition for surrender said those judges made a report. We have never been able to see that report.

Hon. Mr. LOUGHEED—I will bring the papers down.

Hon. Mr. DAVIS—He also made the statement that there was not a sufficient number of Indians present and that it required a majority of the Indians of the whole band.

Hon. Mr. LOUGHEED—I understand so.

Hon. Mr. DAVIS—If my hon. friend looks up the debates he will find that when the Indian Act was first passed it was not intended that it should be the whole band. You could not get the whole band. There were 223 Indians entitled to vote, and 206 voted.

Hon. Mr. LOUGHEED—I will bring down the papers. When we go into committee I shall have all the papers that were produced in the Commons.

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

SECOND READING.

Bill (M-2), An Act for the Relief of Martha Isabella Kenny.—Hon. Mr. Derbyshire.

ESCAPE OF ALIEN ENEMY PRISONERS.

DEBATE RESUMED.

On the Order being called:

Resuming the adjourned Debate on the motion of the Honourable Mr. Girroir:

That he will call the attention of the Senate to an Order issued on the 2nd day of March instant, calling for the production of papers in connection with the escape of alien enemy prisoners from the detention camp at Amherst, Nova Scotia, and for the production of papers and documents and correspondence produced at a Military Court Martial held in Halifax, N.S., in connection with said escape.

And will inquire of the Government any criminal proceedings were taken or are contemplated against the officers in charge of said camp?

Hon. Mr. CLORAN—This debate has been hanging fire quite a while in this hon. House. It is one that has attracted, and deservedly so, the attention of a great many of our Canadian people.

When I brought this question of the escape of the enemies of the Allies from the detention camps in Canada, I did so in the interest of the Empire at large, and particularly the interests of Canada. Canada was then sending many of its best and most valued sons to defend our interests and defend the interests of the Empire, and while that was being done, officers under the control of this Government were allowing alien enemies to escape from the detention camps in this country, to go and kill those that we were sending over to the war in Europe. That was an appalling statement to make to the country from this hon. House. I was challenged by one hon. gentleman in this House, the hon. member from Antigonish. He was the only voice raised against the statement that I had laid before this House and delivered to the country. I made my statements on the strength of private communications

from citizens of Canada who knew facts of which this hon. House was in entire ignorance. I brought the matter, not as a charge nor as an accusation against the administration of the Militia Department, or of the detention camps in the Dominion of Canada, but I brought the matter to the attention of Parliament for the purpose of ascertaining the truth in relation thereto. I have no charge to make; I made none. I have no accusation to make against Col. Morris or any other officer. I had none to make. But rumours were abroad, statements were made, that the officers of our army were not performing their duty and that they were allowing Hun enemies to escape and go abroad to their native country so as to fight the allies. I asked for information; I ask for light. It took some time for the Government to bring down the information. I have the information in my hand. The country will be surprised to learn that the situation is ten times worse than at first stated even by rumour. Rumour had it that the officer in command of that detention camp at Amherst, in the province of Nova Scotia, had been tried by court martial and sentenced to death. That rumour was prevalent all over the Maritime Provinces, especially New Brunswick and Nova Scotia. It reached Ottawa; it spread over the vast Dominion, that the officer in command of the detention camp had been court martialed and sentenced to be shot. The rumour did not hold this fact very long. It dwindled down to an imprisonment to twelve years by court martial instead of a sentence of death. Well, that rumour lasted for a week, two weeks. The officier in command of that detention camp instead of being shot was in one of the penitentiaries. I asked for light. I wanted to know in what penitentiary he was. I could not find out. I have found out since that the officer who was supposed to have been sentenced to death, and was afterwards supposed to be incarcerated in one of the penitentiaries, is to-day in Ottawa, enjoying a high office in one of the Militia departments. He has got promotion instead of being shot or incarcerated. I am not going to give his name, because his name has been suppressed in this report, but what I stated as a fact, is a fact. The information I have got to place before the House comes from the Government. I hold in my hand a report of the court, not the court martial, that was a misnomer to start with. There was never any court martial either at Halifax or anywhere else, and this is the first time since the escape of these aliens that the fact is to be made known to the people of Canada. They have been informed from other sources that a court martial was held in Halifax to try the officers for the escape of alien enemies from our detention camps. There was no court martial at Halifax; there was no court martial at Amherst; there was no court martial whatever. Then, what was there? There was simply a court of inquiry to find out how the Huns dug their way through the ground and broke through the stone wall of the camp. Inquiry was held at Amherst in the prison under three respectable officers. Their duties dictated by the head of the department, General Otter, were very restricted, and no responsibility. They were simply instructed to find out how the Germans and Huns and aliens of the Empire got away from them. They had no authority or power to attempt to find guilty or punish—simply to ascertain the facts regarding this case. That is an astounding fact to make known to the public of Canada. I may say that the three officers who were appointed by the Militia Department to conduct this inquiry—I will not say they did the best that could be done, but they did the best they could. They examined about ten or twelve witnesses. I will try and epitomize the evidence given by officers of that camp at the inquiry. The court sat in one of the buildings of the detention camp situated at Amherst. They called witnesses to prove their own negligence. What do you think of that? The camp was evidently run in a very desultory manner. The camp was more of a play ground than a prison or detention camp, and when the people of this country come to consider the matter, and when they come to compare the treatment of our Canadian soldiers crucified on barn doors, shot, starved, made to suffer every inhumanity, and we know that they are suffering it as well as the prisoners of the other allied powers, the evidence is strong enough to say that Germany is exercising its scientific barbarism, not only on the waters of the seas, and on the battlefields of Europe, but they are exercising their scientific barbarism against human creatures locked up in their camps and prisons, and when the people of Canada and of the world come to consider the treatment extended to our soldiers in the detention camps, in foreign countries and the treatment extended to the Huns and aliens in our camps, they will rise against this sort of management and exact from the

Government a strict supervision which has been lacking ever since the war began. The subject is a very painful one, because one is obliged to call into question the conduct of men who should be the safeguard and the guardians of our rights and privileges. I do not call the conduct of those officers into question for the mere sake of the question, but I do so on behalf of the people of this country, of their rights to full and adequate protection, and not to have enemies who are under our control allowed to go free and take part in the warfare against our flesh and blood where our men are sacrificing themselves in the trenches of Europe and other parts of the world. That is the position I have taken in this matter and I have taken none else. I observe there is no quorum in the House.

Hon. Mr. LOUGHEED—I raise a question of order. I submit the hon. gentleman should confine himself to the question on the Order Paper, namely, that he will direct the attention of the Senate to an order issued on the 2nd March, calling for the production of papers in connection with the escape of alien prisoners from detention camps. I submit that that does not permit the discussion of the escape of alien enemy prisoners, but simply the production of the papers and the inquiry of the Government whether any criminal proceedings were taken or are contemplated against the officers in charge of the said camp. There are two questions to be considered, namely, calling, the Senate's attention to the order issued on 2nd March, and the inquiry as to whether any criminal proceedings were taken or contemplated. I am prepared to answer the last question and I object to the discussion of the entire subject.

Hon. Mr. CLORAN—I am confining the debate to the inquiry. I am placing before the House the evidence which the hon. minister has been kind enough to lay on the Table.

Hon. Mr. LOUGHEED—It is not before the House.

Hon. Mr. CLORAN—I am putting the papers before the House.

Hon. Mr. LOUGHEED—I ask a ruling on that.

Hon. Mr. CLORAN—Am I not allowed to place before the House what the Government gives me?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CLORAN—Can the minister choke off discussion and not allow the papers brought down to be produced before the House? Is the leader of the House going to be a Bismark here, a choker-off of discussion of his own doings? What does he mean? Does he attempt to block me?

Hon. Mr. LOUGHEED—I object to any discussion. I draw attention to the fact that the papers have been brought down, consequently that cannot be discussed. The only thing that can be discussed is the inquiry.

The ACTING SPEAKER (Hon. Mr. Sproule)—It would not be permissable to take up the history of what was carried on in the detention camp and discuss that under this order. I think the hon. senator would be quite within his rights to draw attention to those papers, but with reference to going into the history of the camp and what took place at the camp, I think he would be out of order. It seems to me that it is irregular to discuss a mere question, but I find from Bourinot that it has been the practice in this House though it is not permissable in the other House. Therefore in giving the ruling that the hon. member is in order in directing the attention of the House to this matter, I am following what has been the usual custom in this House, but I think in doing that he should keep within the subject to which he is drawing attention.

Hon. Mr. CLORAN—That is exactly what I am doing. I am not doing it for the delectation or pleasure of the hon. leader of the Government. I am simply going to put before the House and country the result of this inquiry as shown in the papers produced by the Government. The inquiry was started and officers called, and they were asked, how did the escape happen. One gentleman, Captain Ridout, said that the prisoners were allowed to go into town or into the city to make purchases and to bring them in unexamined. The result was that the prisoners had cold chisels, rakes and shovels and everything necessary for tunnelling. Another officer swore that as the Huns had money to spend they might as well be allowed to go and spend it, and that officer was taken to task later on. He used to commandeer everything brought to camp, take it from prisoners, put it in the canteen, and have it resold at a slight profit. Imagine an officer of

the King taking goods from a poor man, putting it into a canteen and having it resold at a slight profit. He did not say where the slight profit went to. But I must congratulate General Otter, when he found it out, on having put a stop to it. They bought all they wanted. There was a large building in the institution called the sand house. It was unoccupied and padlocked, but what did the Huns do? They went down to the village, bought a brand new padlock with half a dozen keys, took the military padlock off that building, and put on the new one for which they had the keys.

The ACTING SPEAKER (Sproule)—I think the hon. gentleman is wide of the mark.

Hon. Mr. CLORAN—I will read all the documents if the hon. gentleman wants me to.

The ACTING SPEAKER (Sproule)—The notice says that the hon. gentleman will call attention to an order issued on the 2nd March, not to the history of what took place at the camp when those men got away. I think the hon. gentleman is beyond the usual limit.

Hon. Mr. CLORAN—I am quite willing to accept the ruling of the chair, but I want the country to know that such ruling is stifling the facts of the case. In view not of the point of order raised by the hon. leader of the Government, which was not maintained, but in view of the interruption made by the hon. Acting Speaker, I beg to move the adjournment of the debate, or I will give notice that this matter will come up in such a way that all the facts and the entire evidence shall be disclosed to Parliament and to the people of Canada.

The SPEAKER—Is it the pleasure of the House that this notice of motion be accepted.

Hon. Mr. DANDURAND—A member of this House can always give a notice of motion.

Hon. Mr. CASGRAIN—At the time for giving notices.

The ACTING SPEAKER (SPROULE)—My only reason for asking was that it is out of the regular order or routine of business, but I take it that a proper notice should be drawn out and presented to the House.

Hon. Mr. CLORAN—I will prepare a notice.

BILLS INTRODUCED.

Bill No. 94, An Act to provide for the payment of bounties on Zinc produced from zinc ores mined in Canada.—Hon. Mr. Lougheed.

Bill No. 90 An Act to amend the Canada Temperance Act.—Hon. Mr. Lougheed.

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

THE SENATE.

Friday, May 5, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SENATOR'S RIGHT OF ACCESS TO PUBLIC DOCUMENTS.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—Before the Orders of the Day are called, it may be interesting and useful for the Senate to know that an hon. senator cannot have official, public and senatorial documents at his command, or at his convenience. Yesterday, during a debate on a certain question, I made it my business to go to the Clerk of the House and ask for the production of records and reports, public and official to be used by me. The Clerk was kind enough to send the page for them. I saw the page bring down records, very bulky documents, some 400 or 500 pages, and place them on the table. The package remained there. I called the page and sent him over to the Clerk, and asked him to be kind enough to send over these public records, belonging to the people, and belonging to their representatives. The Clerk very politely declined. I sent the page back and asked him why, and he said "You cannot have them." I said, "What? Cannot have them even on the floor of the House?" He said, "No." Then I sent back and asked why I could not have them, and he said "Not without the permission of the Speaker." I am very humble and submit to authority, except when authority abuses me. I went to the Chair and said, "Why cannot I have these documents, records and reports?" and he said, "You can have them, but at the Table and on the Table." I would have no chair to sit on and would have to read these documents during a debate of immense importance to the country. I would look nice standing at the table and reading a report of 400 pages. I

said, "I cannot get them except I go to the Table and read them?" He replied, "No." Now, hon. gentlemen, this is an infringement on the rights of the members of this hon. House, an infringement that should not be tolerated. So far as I am concerned, I could stand there, in a case of necessity, a case of justice, and read for 24 hours a day, but dear knows I am not called on to do that in a divorce case. I called yesterday for the production of those papers which were refused me except I went to the Table and stood up and read 400 or 500 pages of a report because of a challenge issued to me by the Hon. Mr. Dandurand, when he said, "It is against your conscience to vote for a divorce, then why read the evidence?"

Hon. Mr. DANDURAND—When it is reported against.

Hon. Mr. CLORAN—Reported against or for, especially against; I want to see what wisdom was in the committee in declining the application for divorce. The hon. gentleman challenged my right to have that.

Hon. Mr. DANDURAND—No, not your right.

Hon. Mr. CLORAN—Yes, he challenged it on stronger ground than the constitutional right; he challenged my right on spiritual grounds. On constitutional grounds I do not have to consult him. On spiritual grounds, what does he know about theology? He is an authority on atheism or any thing of that nature, but he is not an authority on the doctrine of Christ. He is against the doctrine of Christ in many matters.

Hon. Mr. McSWEENEY—Who?

Hon. Mr. CLORAN—The hon. senator Dandurand.

Hon. Mr. DANDURAND—I rise to a point of order—

Hon. Mr. CLORAN—I withdraw what I have said.

Hon. Mr. DANDURAND—There is nothing in my whole career that justifies the hon. gentleman in thus speaking.

Hon. Sir MACKENZIE BOWELL—Of course not.

Hon. Mr. DANDURAND—Of course I have not worn, like him, the robe, and have not had to throw it off, but I stand on the principles of Christianity, into which I was introduced from birth, and I try to live according to those principles to the best of my ability.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—If I have questioned his fidelity to Christian doctrines I certainly am awfully sorry, and retract what I have said. What I was trying to answer was his challenge to me as a Catholic, that it was against my conscience to read that evidence when I have no right to vote for or against a divorce. That was his challenge yesterday. Now I want to say that I called for that evidence to see on what grounds he based that challenge. If there is anything I cherish—

Hon. Mr. DANDURAND—I rise to a point of order. I draw the attention of the Chamber to the license which my hon. friend is taking in travelling outside the question which he has a right to put, as to his being denied the reading of official documents. In doing so he has no right to refer to a debate which took place in this House at a previous meeting.

Hon. Mr. CLORAN—I acknowledge what you say; I know that just as well as you do. I am answering the challenge put forth yesterday.

The SPEAKER—The hon. gentleman has no right to answer that challenge now. He should have answered when the challenge was made. He has referred to a debate that took place yesterday, which is in violation of the rules.

Hon. Mr. CLORAN—The Speaker said I should have referred to that challenge yesterday when I had not the documents.

The SPEAKER—I rule—

Hon. Mr. CLORAN—I accept your decision.

The SPEAKER—I rule that there is nothing before the Chair. Go on with the Orders of the Day.

The Clerk proceeded to call the first order.

Hon. Mr. CLORAN—I appeal from your decision if I can get a seconder.

The SPEAKER—The hon. gentleman has no right to speak.

AID OF PROVINCIAL PROHIBITION BILL.

DEBATE RESUMED.

On the Order being called:

Resuming the adjourned Debate on the Motion for the Second Reading of Bill 66, An Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors," and the Motion in amendment of the Honourable Mr. Power that the said Bill be not now read a second time but that it be read this day six months.

Hon. Mr. POIRIER—I might and possibly should have allowed this debate to terminate yesterday, but when I rose at a few minutes to six o'clock, I had in my mind the attitude taken by my hon. friend and colleague from Moncton (Hon. Mr. McSweeney) who very eloquently, as is customary with him, expressed an opinion in this particular case—which was not mine—to wit, that the Senate should reject this Bill. On second consideration, knowing my hon. friend as I do, I decided that it was possibly a round-about way to reach the conclusion which I entertained; because I know him to be a temperate man. His way of getting to the goal is different, but his object is, no doubt, identical with mine. The particular point raised that I desire to answer was the one suggested by the hon. gentleman from Victoria.

Hon. Mr. CLORAN—The hon. gentleman has no right to refer to a past debate.

Hon. Mr. POIRIER—It is the continuation of a debate. The point was that this temperance law should emanate from the Dominion Government. I cannot agree with him. As a matter of fact, I take the reverse position. If the Dominion Government had sprung prohibitory legislation, I would have taken the attitude that my hon. friend from Moncton takes on this Bill. I should have voted against it, not that I am opposed to temperance—just the reverse—but because sumptuary laws are of no effect, unless demanded and backed by the people. Now had the Government at Ottawa acted upon the lines suggested by the hon. gentleman from Victoria, and passed prohibitory legislation, what might have happened? Some of the provinces, no doubt, would have hailed such legislation with satisfaction, but others would not. It would have been the central power imposing sumptuary laws on some unwilling provinces, with the result, as it has been at all times in history, that the law enacted would have been evaded by the people. It is better in such cases that no laws shall exist, than a law that is not obeyed, or one that causes more disastrous results than no law at all. As it is now, the process is the right one; the demand for legislation comes from the provinces. It started in the West. British Columbia, I believe, adopted prohibition. Manitoba and Ontario passed prohibitory laws. The temperance wave is now starting from the East. Nova Scotia, Prince Edward Island and New Brunswick—in fact all the eastern provinces except Quebec—have passed laws. What the Government is asked to do here is not to legislate directly upon prohibition, but to allow those provinces which desire prohibition to earnestly enforce prohibition, which they cannot do except by the intervention of the Dominion Government. I repeat, I do not believe in forcing prohibition, any more than moral virtues, upon the hearts, heads or brains of the people through legislation. But I may be wrong. The provinces desire it. Since the provinces desire it, let us give the provinces a chance to effectively put it in force. It is alleged that they have not the power, for example, to prevent interprovincial exchanges. Without this measure, what would be the consequences? There would be Ontario and New Brunswick having prohibitory laws, and between them Quebec, which has no prohibitory law. Quebec has the right not to adopt prohibition, and there would be this difficulty: people to the west and to the east of Quebec could not be prevented from getting liquor from the country that is sandwiched in between. Under such circumstances, the advocates of temperance could say, and rightly say, that they were not given a fair chance to carry out their law. The Government comes in here and complements their power to give a thorough test to a great laudable effort to suppress the liquor traffic. It is our duty in this case not to thwart public opinion.

Hon. Mr. THOMPSON—Hear, hear.

Hon. Mr. POIRIER—We are here occupying a very delicate position. We are responsible neither to the people nor to the Government. We have absolute independence, in fact too great independence—independence that is not democratic. We have here the absolute control of the situation. That makes it obligatory on us not to misuse it. We can only justify the exercise of our power if we do not abuse

it. We have a monopoly of legislation that no other body in the world has. Even the Czar of Russia has not the independence that we enjoy. It behooves us to listen to the voice of the people when it is legitimately expressed, as in this case; and it is our bounden duty to aid in carrying out the popular will. To do otherwise would redound against us. We should abide by the decision of eight or nine provinces of the Dominion. So far as we know, Quebec is opposed or indifferent to such legislation.

Hon. Mr. BOLDUC—No; seventy-five per cent of the municipalities of Quebec have adopted prohibition.

Hon. Mr. POIRIER—I am talking of a general law. I know the attitude of Quebec. That province is in its way as temperate—I think I might say a more temperate province than any other province in the Dominion.

Hon. Mr. CLORAN—Without prohibition.

Hon. Mr. POIRIER—Without prohibition, and we would not be justified in passing legislation that would include Quebec, when Quebec objects, having found, in my estimation, a better method, moral suasion. We have the moral influence of the clergy of all religious denomination, and the example set by people in high quarters in favour of temperance. I am therefore not only willing to vote for this measure, but I am in duty bound to give it my support. I might take up another point raised by the hon. member that spoke before me, and that is raising political questions which I think in this case should not be used. It is that there is a menace to Quebec in this law, that it is meant to a certain extent to persecute Quebec—

Hon. Mr. DANDURAND—No, no. Who expressed such an opinion?

Hon. Mr. POIRIER—My hon. friend from Victoria division.

Hon. Mr. DANDURAND—But who takes him seriously?

Hon. Mr. CLORAN—I have maintained it, and it is a fact.

Hon. Mr. DANDURAND—It is a joke.

Hon. Mr. CLORAN—A joke for the hon. gentleman, but not for the people.

Hon. Mr. POIRER—The text, if not the context, of his oration led me to that conclusion. I know enough of Quebecers to know that they can take care of themselves, and if in some way their ways and état d'âmes do not tally with those of provinces of different origin, one should not infer therefrom that their ideals are not as high, their will as strong, and their determination as great as those of any other province, or that they will not get to the goal that others are aiming at just as surely as those other provinces. I do not care to hear such questions raised. In this case Quebec is not persecuted, and if any attempt of the kind should be made Quebec can take care of itself. The Commons having passed this Bill, shall we throw it out? If we did, it would be a mistake against our duty and against ourselves—a mistake for which we shall be punished. I hope that the motion of my hon. friend from Halifax will not carry, and that the majority will see their way to supporting the Government on a measure that has become necessary to give the temperance people a fair chance to test the strong effort they are putting forward towards establishing temperance on a permanent basis in the Dominion.

Hon. Mr. WATSON—I wish to make a few observations having had some experience of local option. The town in which I live saw fit by a vote to declare for local option, and local option came into force 1st June last. At that time the vote was carried on the municipal voters' list, on which were some 300 lady voters, and of course it is presumed that all, or nearly all of them, voted for local option. Later on, the province decided to take a vote on total prohibition for the province. That vote was taken a few weeks ago, and to my surprise, in the town of Portage la Prairie to which I have referred, where local option was originally opposed by about 200, excluding the ladies' votes, when provincial prohibition was the issue, and the vote was taken on the provincial voters' list, the ladies being debarred from voting, that same town voted by a majority of over 300 in favour of prohibition. That was the result of education on provincial prohibition in that particular town. I know of a number of people who voted against local option in that town who were so convinced that prohibition was a good thing that they voted for prohibition in the vote taken a year afterwards. The province of Manitoba a few weeks ago voted almost two to one

in favour of prohibition for the province. Although I do not want to compliment the Government on this legislation, I say frankly that I think they are taking the road of least resistance. It was not what the temperance people asked or; they asked for Dominion prohibition; still I think this legislation is in the right direction. It will enable the provinces to carry out their legislation; consequently it must be a good thing. It is legislation to which little or no exception can be taken, because it can only be applied where the people in a province have passed prohibition. Another thing I want to say in complimentary terms of the militia; we had in Manitoba, as there were all over the Dominion, a great number of volunteers in camp, and it is a notable fact that in every one of those camps where the volunteers voted, in the city of Winnipeg and in other towns in Manitoba, a very large majority voted in favour of prohibition. The statement has been made here that prohibition does not prohibit. So far as our brief experience in the town of Portage la Prairie is concerned, prohibition does prohibit; there is little or no liquor drank in the town of Portage la Prairie. We have had some 600 soldiers in that little town for the past few months, the 10th Canadian Mounted Rifles, and the officers felt a great relief in having their camp in a town where liquor could not be secured. The result of prohibition has been that we have reduced the police force. Two policemen do all the work that four did formerly. In my judgment, the liquor traffic is a thing of the past, or pretty nearly so. I do not believe that licenses to sell liquor in the Dominion of Canada will ever be issued again. Some people think they will come back, but in my judgment the people who are tied up with the liquor interests will be out of business by the time they have an opportunity of coming back, and their energy will be turned to other pursuits. Having these ideas in view, I shall certainly vote for the Bill and against the six months' hoist.

Hon. Mr. DANIEL—I have noticed that hon. members who oppose this Bill do so largely on the ground that they are opposed to prohibition. As has already been said by some hon. gentlemen who have spoken, if there is anything has the support of public opinion throughout this whole country, it is prohibition. It may be that the great majority of the people are all wrong and that the members who believe that prohibition is not in favour of temperance are right; but it would be hardly judicious for us to act on any such idea. The Senate, part of the Parliament of Canada, is bound to take public opinion into consideration, and public opinion has been expressed in no uncertain voice so far as prohibition is concerned. I do not know of any subject which has public opinion so largely in its favour as prohibition. The province of Quebec has been spoken of as an exception. I have no doubt in my own mind that if a plebiscite were taken in the province of Quebec in regard to prohibition, it would be carried.

Hon. Mr. CLORAN—No, no.

Hon. Mr. McSWEENEY—I should like to ask the hon. gentleman how was it in the city of St. John? You had a plebiscite there, had you not?

Hon. Mr. DANIEL—At all events I have been so informed by a very eminent gentleman, well known to us all, who has always been a resident of the province of Quebec, was brought up there, and to-day occupies, I suppose, the highest judicial position in the whole Dominion of Canada. So far as my personal view is concerned, I believe in doing what the province of Quebec has done—that is, to leave this matter of prohibition to the municipalities of the province. At the same time, I do not intend to oppose myself to what I believe to be public opinion of this country, which is to my mind largely in favour of prohibition. With regard to this particular Bill, it embodies a principle of law which I believe has not been put in any other legislative enactment; that is, the principle of making a man prove his innocence instead of the ordinary principle of law which is that a men is innocent until he is proved guilty.

Hon. Mr. McSWEENEY—Will the hon. gentleman allow me to put a question to him? You had an election in the city of St. John once or twice on the Canada Temperance Act; how did the vote go?

Hon. Mr. DANIEL—In the city of St. John we have no Scott Act; it is local option.

Hon. Mr. McSWEENEY—But you had an election on the Scott Act in the city of St. John once or twice had you not?

Hon. Mr. DANIEL—In several wards of the city of St. John no liquor is allowed to be sold.

Hon. Mr. McSWEENEY—That is not an answer to my question. I asked you if you did not have an election under the Canada Temperance Act in the city of St. John once or twice, and if the Act was not defeated.

Hon. Mr. DANIEL—I do not remember; it may have been; I have never taken a great interest in it.

Hon. Mr. MURPHY—What has that to do with it?

Hon. Mr. DANIEL—I can tell the hon. gentleman this, that so far as selling liquor is concerned in the city of St. John, we have in some wards the license system. Under the provincial law, any ward has the power to forbid liquor being sold within its boundaries, and there are several wards in the city of St. John in which no liquor can be sold.

Hon. Mr. McSWEENEY—That is true.

Hon. Mr. DANIEL—The tendency there has been to reduce the number of licenses, and the number of licenses is being reduced from year to year.

Hon. Mr. McSWEENEY—Exactly.

Hon. Mr. DANIEL—In regard to the whole province, so far as prohibition is concerned it will affect but very few places. I think there are only three or four places in the whole province of New Brunswick where liquor is allowed to be sold. But I was referring to a principle of law introduced into this Bill which I think is very unusual, and I do not know that it has been introduced into any other legislation, except legislation of this character. If a man commits murder he is not considered guilty until he is proved guilty, and so with regard to any other crime, but under clause 4 of this Bill a man is assumed to be guilty unless he proves his innocence. To my mind that is a very serious departure from the ordinary principles on which, without being a lawyer, I have always understood our legislation has been based. However, it is a matter that can be referred to more fully when the House goes into committee on the Bill. From the fact that prohibition sentiment seems to be so general all through Canada, no matter what my own private sentiments may be, I feel it my duty to vote in favour of any Bill which will enable the people to carry out their wish.

Hon. Mr. BELCOURT—To my mind this is not a question of prohibition; it is simply a question of provincial rights. If any province thinks it in its own interest to adopt a measure more or less prohibitory with reference to liquor, I think it would be the duty of every one of us to help that province to carry out its own policy as to what they think is good for themselves. But to my mind it is not so much a question of prohibition as a question of provincial autonomy; and belonging to the Liberal party, I find no difficulty in supporting such a measure. But if it were a question of prohibition I would still vote for it. I do not know that I would have done that 10 years ago, because 10 years ago it did not seem to me that public opinion was ripe for prohibition. But the very opinion invoked against this measure, namely, that there is a strong feeling of temperance and it is necessary, is the very reason why I am compelled to vote for it. As there is a strong feeling in favour of prohibition I think it is our duty to help that movement on, and consequently I propose to help it by my vote. The question of constitutionality was raised. I do not think that section 121 of the British North America Act furnishes any argument against constitutionality. That article has nothing in view but the imposition of a customs duty. Prior to Confederation several of the provinces had unquestionably the right, as between one another, to have a tariff, and section 121 was placed in the Act simply for the purpose of doing away with the right to collect duty on imports from one province to another. We have unquestionably the right to prohibit the entry of goods, not only in Canada from foreign countries, but also to prohibit the interchange of goods from one province to another. We have done it; we did it some years ago in the case of oleomargarine; I cannot recollect at the moment of any other product the exchange of which was prohibited in Canada, but it is easily conceivable that we might have a whole lot of noxious things which we would wish to prohibit to-day, and to-morrow we would prohibit the interchange of spirituous liquors from one province to another, which would not in my mind constitute any infringement of section 121. I have no hesitation whatever in supporting this Bill.

The House divided on the amendment, which was rejected on the following division:—

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Hon. Mr. DANIEL—I notice that the Hon. Mr. McLennan has not voted.

Hon. Mr. McLENNAN—I paired with the Hon. Mr. Shehyn.

The SPEAKER—How would you have voted?

Hon. Mr. McLENNAN—I would have voted against the amendment.

The amendment was declared lost.

The main motion was then adopted on the same division, and the Bill was read a second time.

CANADA SHIPPING ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (81), An Act to amend the Canada Shipping Act.

(In the Committee).

On clause 1:

1. Sections four hundred and forty-two, four hundred and forty-three and four hundred and forty-four of the Canada Shipping Act, Revised Statutes of Canada, 1906, chapter one hundred and thirteen, with the heading immediately preceding section four hundred and forty-two, are repealed and the following sections and heading are substituted therefor:—

Pilotage District of Quebec.
Pilots and Apprentices.

442. The number of pilots for the Pilotage District of Quebec shall not exceed one hundred and twenty-five.

443. Whenever the period of apprenticeship of any apprentice under the Quebec Pilotage Authority has been interrupted by sickness, involuntary absence or other legitimate cause, such apprentice, subject to such regulations as may be made by the Pilotage Authority, may be allowed to serve an additional period equal to the time lost by such interruption, and, if found otherwise qualified and entitled to a license as a pilot, he may be granted such license after he has completed a full period of service of seven years, including the said additional epriod.

Hon. Mr. BOSTOCK—By clause 1 we are repealing sections 442, 443 and 444 of the Revised Statutes. The new section 442 deals with the number of pilots, and 443 with the period of apprenticeship, but I do not see that we are re-enacting anything that will take the place of 442 as it now stands in the Revised Statutes. The clause of the Revised Statutes reads as follows:

Persons desirous of becoming pilots for and below the harbour of Quebec shall continue as heretofore to pass their indentures of apprenticeship with the Quebec Pilots Corporation and for that purpose the said corporation shall continue to be subject to the provisions of the Act passed in the 12th year of Her late Majesty's reign.

We seem to be doing away with the legislation altogether.

Hon. Mr. LOUGHEED—Has the hon. gentleman looked at chap. 48 of the Statutes of 1914 in which that was repealed? What was dealt with in 442 is now dealt with by the Minister of Marine, apparently.

Hon. Mr. BOSTOCK—I do not see in the Bill before us reference to any other Act, and I have no means of finding out that there was another section dealing with it.

Hon. Mr. LOUGHEED—I observe that the minister of the department when introducing the Act made this statement:

By the Provisions of the Act, chap. 48 of the Statutes of 1914, all powers with respect to pilots and apprentices, formerly vested in the Quebec Pilots Corporation, become vested in the Minister of Marine and Fisheries. It will therefore be seen that section 442 is no longer operative for the same reason.

Hon. Mr. BOSTOCK—That clause was really substantially repealed before.

Hon. Mr. LOUGHEED—Yes. I will read the statute to my hon. friend. In the statute of 1914 the hon. gentleman will find chap. 48 gives to the minister powers in the pilotage district which includes the harbour of Quebec, and therefore dispenses with the necessity of re-enacting anything in lieu of 442. We will have 442 as it appears in the Bill. We repeal those particular sections and enact 442 and 443 as they now appear in the Bill. Section 442 defines the number of pilots in the Quebec

district, and 443 deals with the question of apprenticeship. We still adhere to the same number of pilots.

Hon. Mr. BOSTOCK—Then we are only now repealing clause 442 in the Revised Statutes?

Hon. Mr. LOUGHEED—Yes, we did not repeal it before, but we took all the powers that are incorporated in the old section 442 and vested them in the Minister of Marine, and the powers therefore automatically passed from the Pilotage Board in the Quebec district to the minister, but now it is desirable, for the purpose of placing the statutes in better shape, to have it repealed.

Hon. Mr. DANIEL—It appears to me that if we are to vote intelligently on this new section 442, which states that the number of pilots shall not exceed 125, we ought to have some idea of the amount of shipping that is entering and leaving the port at Quebec. We can take it for granted, probably, that the Minister of Marine who submits this legislation knows something about it, but to enable us to judge how many pilots are required to perform the duties of the pilotage system in Quebec, we should have some idea and some knowledge of the amount of business they have to look after. I do not know whether the gentleman who represents the Government here has that information, but it would enable us to deal much more intelligently with the clause if we had it before us.

Hon. Mr. LOUGHEED—I understand this number represented the number of pilots when the matter was administered by the pilots themselves, and as hon. gentlemen will remember, it was contended, when the former legislation was before us, that there was such an arbitrary administration of powers by the pilots themselves that it had become a very close corporation, and it was utterly impossible to get within its membership. I understand that the Government is adhering to a number which will be sufficient for the purposes of meeting all the shipping needs of the pilotage district in Quebec, and when my hon. friend puts the question to me as to the tonnage, or volume of shipping, I cannot give him that information. I have no doubt it would be the subject matter of a return, and would involve very probably exhaustive labour in bringing it down.

Hon. Mr. CASGRAIN—I have taken some interest in this Quebec pilotage question. I do not see anything objectionable in the first clause. It provides that when a man becomes a pilot he can make the additional time to complete his seven years.

Hon. Mr. LOUGHEED—That is the chief feature of the Bill. Under the law as it stands, four months were allowed an apprentice as an interruption, so to speak, in his continuous service, but if through accident or any other cause, he exceeded that four months, he was prevented from becoming a pilot, and had to start his seven years over again. This provision has caused many cases of hardship. The case is instanced particularly where an apprentice has to go abroad for certain instruction or certain experience, and on one of those voyages may be delayed beyond the four months; when he returns he finds himself excluded from being practically an apprentice. He has to start over again.

Hon. Mr. BOSTOCK—This is to rectify that condition of things.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANIEL—I have always accepted the statement referred to by the hon. leader of the Government, that the pilotage corporation of Quebec was a very close corporation, indeed, and had very stringent regulations, and naturally the corporation would like to have as small a number of pilots as possible, because it would make the funds so much the greater for each individual, and that is the reason why I was a little curious to know whether 125 pilots were really a sufficient number to attend to the business of the port. I assume that the Minister of Marine has taken this matter into consideration, and I understand now too that the minister has some control over the corporation which he did not have formerly.

Hon. Mr. POWER—As I understand it, the position is this—and the hon. leader of the Government can correct me if I am wrong—these sections, which are supposed to be repealed, deal with the pilotage at Quebec, and with the pilot. Then chapter 48 of the Act of 1914, states:—

> **The Minister of Marine and Fisheries, subject to the provisions of the Canada Shipping Act, shall have charge of the examination, licensing, control and management of pilots and pilot apprentices, and the control and management of pilot schooners, and so on.**

That gave the minister very limited power because these sections which we are now proposing to repeal set out very minutely

how many pilots there were to be, and how the pilot business was to be conducted, and consequently the minister really had almost no power. He was tied up by sections 442 to 444, and I understand the object of this Bill is to give the minister a free hand, a thing which I suppose was intended when the Act of 1914 was passed. I presume that the intention was then to put the whole matter in the hands of the Minister of Marine and Fisheries, and to leave him unhampered by the provisions of these sections of the Canada Shipping Act.

Hon. Mr. LOUGHEED—That is the case. He can exercise his discretion. One hundred and twenty-five is the number of pilots provided for in the Shipping Act, but section 443, which deals with the question of apprentices, gives authority to the minister to permit the apprentice to serve a period equivalent to that which he has lost, so that he may perfect his apprenticeship.

Hon. Mr. CASGRAIN—There is a word that is puzzling us on this side of the House. In clause 2 there is a reference to steam engines with flash boilers, or by electricity. Could the hon. leader give us any information as to that?

Hon. Mr. LOUGHEED—The House always relies upon my hon. friend to keep us posted on technical questions of that kind. I am much disappointed if he cannot inform the House now.

The clause was adopted.

On clause 2:

2. Section six hundred and twenty-nine is amended by adding the following subsection thereto:—

"2. Subject to such regulations as may be made by the minister, this section shall not apply to any passenger ship not exceeding sixty-five feet registered length propelled by an internal combustion engine, or by a steam engine with a flash boiler, or by electricity.

Hon. Mr. POWER—I have no doubt this is all right, but the committee should have some little explanation of just what it means. I assume this is intended to render it unnecessary that a motor-boat of small dimension shall carry a qualified engineer as well as a qualified master.

Hon. Mr. LOUGHEED—The present Act reads:

No person shall act in the double capacity of engineer and master on any steamboat, and no person shall, except when the boiler is fired from the engine room, act as engineer and fireman on any steamboat having an engine of over seven nominal horse power and required by law to carry a certificated engineer.

We provide that:—

Subject to such regulations as may be made by the minister, this section shall not apply to any passenger ship not exceeding 65 feet registered length propelled by an internal combustion engine, or with a steam engine with a flash boiler, or by electricity.

It has reference chiefly, I understand, to gasolene boats.

Hon. Mr. McLENNAN—In reference to the expression flash boiler, I may inform the House that it is like a steam motor car, where the water drops down on a heated surface, and is instantly converted into steam and capable of explosion.

The clause was adopted.

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

GOVERNMENT RAILWAYS SMALL CLAIMS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 91, An Act to amend the Government Railways Small Claims Act. He said: This Bill has as its object the extension to Prince Edward Island of the provisions regarding small claims that now apply to the Intercolonial railway.

Hon. Mr. BOSTOCK—I should like to point out to my hon. friend that this is a more extensive Bill than that. It seems to me to apply to any railway in the control and management of the Minister of Railways. Would it not apply to that part of the Transcontinental which is now being operated by the Government?

Hon. Mr. LOUGHEED—No, because that it not a Government railway. The Government Railways Small Claims Act will govern, I submit to the House, the interpretation which will be placed upon the legislation.

Hon. Mr. BOSTOCK—Is not that the fact at the present time, that the Transcontinental is under the control and management of the Minister of Railways?

Hon. Mr. LOUGHEED—Yes. I find, as my hon. friend has pointed out, that it will apply to the whole Government railway system.

Hon. Mr. POWER—Speaking for myself, I do not see any objection to that. The Small Claims Act is a beneficial Act, and it

is well that it should apply to all the Government railways.

Hon. Mr. MURPHY—When that Act was passed in 1910 the Intercolonial railway was supposed to include the Prince Edward Island division, but some claims were taken to the court, and the judge, in looking up the interpretation as to the Intercolonial railway, found that it only applied to the railways in the provinces of Nova Scotia, New Brunswick and Quebec, so that the Prince Edward Island railway did not come under its operation. Now, during those four years a great deal of disability has been engendered by the Prince Edward Island railway not being included, and as an instance of it, those actions taken in the Small Debts Court for those small claims were set aside; the parties were nonsuited. In the Commons the other night the members from Prince Edward Island, both Liberal and Conservative, endeavoured to have this measure made retroactive so that the intention of Parliament at the time that the Act was passed should include Prince Edward Island, and that the claims arising between 1910 and the present time could be proceeded with and adjudicated upon. For some reason or other, I think more as a matter of pique than anything else, the minister refused that which, to my mind, was a very reasonable amendment, and moved that the committee rise and lay the Bill aside altogether. However, I see that better counsel prevailed and we have the Bill before us, but hon. gentlemen can readily understand that an injustice was done—an injustice that was not intended and that was against the strict and absolute intention of Parliament at the time. It seems to me only just and fair that, having this Bill before us now, the measure should be made retroactive so as to go back as far as 1910, making the law apply to the Prince Edward Island railway as well as to the main line of the Intercolonial railway.

Hon. Mr. YEO—I quite agree with all my colleague from Prince Edward Island has said. There is no doubt injustice was done to parties on the island by the omission of Prince Edward Island at the time the Act was amended. It could not have been intentional. It must have been an omission, and I can see no just reason why that omission should not be rectified just now, by making the Act retroactive so far as the Prince Edward Island railway is concerned. I notice that a discussion took place on this point in another part of this building some time ago, and the minister refused to make the change. I do not know whether the Senate would be inclined to make the alteration now, but if they would, they would only be doing what is right and just to certain parties in Prince Edward Island who have been prevented from having their claims adjusted by the court owing to an omission from the Act when it was last amended.

Hon. Mr. SPROULE—Would not the claims be outlawed by this time under the Statute of Limitations?

Hon. Mr. MURPHY—That is 6 years.

Hon. Mr. SPROULE—The original law having been passed in 1910, the 6 years run from that time to the present; but the claims would likely have been contracted some time before 1910, so that even if the law were made retroactive, if the Statute of Limitations is the same in Prince Edward Island as in the other provinces, I do not see that the claims would be helped much if taken to the courts, even if the law were made retroactive.

Hon. Mr MURPHY—In explanation of that, I may say that Mr. McLean, member for Queens, P.E.I., was the attorney acting in a case that came up within two years. While the Statute of Limitations in our province is 6 years, you will see that all the claims that have come up since 1910 are valid, and not barred by the statute. It would seem to me only reasonable that the intention of Parliament, as it then was, and as they thought they had incorporated it in the statute, should be made effective in this Bill. It is childish not to accept an amendment of that kind.

Hon. Mr. BOSTOCK—But my hon. friend has not shown very clearly what the intention of Parliament was.

Hon. Mr. MURPHY—The intention of Parliament may be gathered from the fact that in drafting the Bill in the first instance with regard to these small claims, they used the words "Intercolonial railway." Well, Intercolonial railway, in the generic sense, is supposed to include, according to the time-tables, the main line of the Intercolonial railway and the branches attached thereto as well as the Prince Edward Island railway. That was the intention of Parliament, and under that law actions were entered in Prince Edward Island to get remuneration for

cattle killed and damages arising, and the judge, in looking up the interpretation of the statute, found that it defined "Intercolonial railway" as that part of the Government railway system running through the provinces of Nova Scotia, New Brunswick and Quebec. It did not include Prince Edward Island, and therefore the intention of Parliament was nullified, and Prince Edward Island has been under that disability ever since.

Hon. Mr. POWER—Retroactive legislation is very objectionable but this case is somewhat different from those which generally come before Parliament. If the statements made by the hon. gentleman behind me (Hon. Mr. Yeo) and the hon. gentleman who has just taken his seat (Hon. Mr. Murphy) are correct, and there is no reason for supposing that they are not correct, then it was the intention of Parliament, when the Act of 1910 was passed, that that Act should apply to the Prince Edward Island railway.

Hon. Mr. MURPHY—Exactly.

Hon. Mr. POWER—And it seems to me, if the Government are willing to take that view, perhaps the wisest course would be to allow the Bill to be read a second time and amended in committee to indicate that the right to include Prince Edward Island is simply declaratory of the intention of the original Act. You could not then very well say that it was retroactive legislation, because Parliament declares that the intention of Parliament in 1910 was that the legislation should apply to Prince Edward Island.

Hon. Mr. MURPHY—From the beginning.

Hon. Mr. POWER—I suppose. I assume that the leader of the Government would have no difficulty in making an amendment of that kind when the Bill goes into committee.

Hon. Mr. DANIEL—I read the debate referred to by the hon. members, both of them from Prince Edward Island, and as one not specially interested it appeared to me that the view taken by those gentlemen is the correct view, and that there was really, perhaps, a printer's mistake either in the title of the Bill or in the body of the Bill. In the title it was put, "An Act referring to Small Claims on the Canadian Government Railways." But in the body of the Bill it refers to the Intercolonial railway, and it was on that view that the judge before whom those cases were taken, decided that it did not apply to the Canadian Government railway in the province of Prince Edward Island. But the other thing that I noticed was this, that while the hon. gentleman who spoke and took that view, which seemed to me fairly reasonable unless there was some good reason why the legislation should not be made retroactive, thought it could not be established under the circumstances mentioned, yet the Acting Minister of Railways was so decided that he would not accept the amendment, that he decided to withdraw the Bill rather than have it forced on him. Now the point comes here, supposing we insist on that amendment, will the Government accept it? If they are not going to accept it, we would be foolish to press for the amendment, and in that case I think we should hear from the representative of the Government in this House whether they would be willing to accept it, because I take it the hon. members from Prince Edward Island would not like to lose the Bill, and would rather have it as it is than not have it at all.

Hon. Mr. POWER—If the Government in the other House do not accept our amendment then the Bill comes back to us and we do not adhere, so there is no risk. It is one of those cases where justice might very well be tempered with mercy.

Hon. Mr. LOUGHEED—The difficulty lies in this. I do not know if there is any clear evidence that a mistake was made originally. True, I suppose it might be said it would have been equitable to have included the Prince Edward Island railway with the Intercolonial railway, but it can scarcely be said that Parliament made a mistake in a statute, when only one construction can be placed upon that statute. That seems to be the case. Of course the members from Prince Edward Island contend that it should have included the Prince Edward Island railway; but it did not; so that we are confronted with that fact, and we have to take the statute as we find it. As to making the present legislation retroactive, it is almost needless to say that retroactive legislation is always very objectionable, for the simple reason that you are unaware what its application will be. If one were fully aware of what the compass of its operation would be, then one would feel it safe to make it retroactive. But take for instance this case, making it retroactive would apply to the Transcon-

tinental system. Now, the Transcontinental system has been taken over by the Government very recently. To make it retroactive would relate back to possibly innumerable claims about which the Government knows nothing. I do not think that any very great injustice can be done by leaving the Bill as it is, for the simple reason that those having claims have their remedy in the Exchequer Court instead of in local courts. Now, the Exchequer Court is peripatetic in a sense; owing to the legislation which we have passed from time to time, the Exchequer Court can scarcely be said to be more expensive than the local courts, for the simple reason that they hold sittings in Prince Edward Island and in all provinces of Canada. Immediately there is any business to warrant a sitting being held in any particular district, such a sitting is held. However, I shall be very glad indeed to direct the attention of the Minister of Railways to the fact, and to ascertain what the specific difficulties are in making the Bill retroactive. He will have more information on it than I possess.

Hon. Mr. BOSTOCK—The Act, chap. 26, of the Statutes of 1910, is called, in short title, " Government Railways Small Claims Act." I take it that the term "Government Railways " includes the Prince Edward Island railway.

Hon. Mr. MURPHY—Certainly.

Hon. Mr. BOSTOCK—Of course when we go on to the other sections of the Act, section 2 says:

Subject as hereinafter provided, any claim against His Majesty arising out of the operation of the Intercolonial railway, etc.

So that apparently the trouble has arisen over that very fact—the Bill is called the Government Railways Small Claims Act, and in the body of the Bill it simply mentions the Intercolonial railway.

Hon. Mr. LOUGHEED—When we go into committee we can easily rectify it.

Hon. Mr. MURPHY—You can easily see how the error has arisen. The Intercolonial railway is described as having so many miles in the province of Quebec, New Brunswick, Nova Scotia and Prince Edward Island so that the Bill was liable to pass and did pass through the hands of everybody with the idea that the Prince Edward Island railroad was included as classified in the time-tables. There is a manifest injustice to those men who have taken action. They could go to the Exchequer Court, but that is a costly proceeding for those small claims as compared with the ordinary courts of the province, and I do not see why the Minister of Railways will not allow the amendment to go so that at least those actions that have been taken in the court and non-suited would be brought under this Act.

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

BILL INTRODUCED.

Bill (N-2), An Act for the relief of William Thomas Craig.—Hon. Mr. Derbyshire.

The Senate adjourned until Monday, May 8, at eight o'clock, p.m.

THE SENATE.

Monday, May 8, 1916.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

GRAIN TRAFFIC ON THE NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. CASGRAIN inquired from the Government:

1. How many bushels of wheat have been hauled from Armstrong to Quebec city on the National Transcontinental railway since a 6 cents per bushel rate has been offered by the Government?
2. What would be the through rate from Winnipeg to Quebec city on the same basis?

Hon. Mr. LOUGHEED—The answers are: are:

1 Approximately 675,000 bushels.

2. On shipments of wheat originating at Winnipeg the through rate to Quebec would be 12 cents per bushel.

EXTENSION OF PARLIAMENT BILL.

INQUIRY.

Hon. Mr. CLORAN—Before the Orders of the Day are called, as I suppose this is the last time I shall have an opportunity to ask, and I believe the country is anxious on the subject, I should like to know what the British Parliament has done with our famous Extension Bill. We are going to prorogue in a few days and Parliament will be without any knowledge of the decision of the Imperial authorities

unless the Government is in a position to give us information on the subject. I want to ask the leader of the Government has he any intimation, direct or indirect, as to what has been done?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CLORAN—You have no idea?

Hon. Mr. LOUGHEED—I presume in due course the legislation will go through, as the Imperial House is now sitting.

Hon. Mr. CLORAN—The Imperial House is nearly always sitting.

Hon. Mr. LOUGHEED—I have no information that it has been passed.

Hon. Mr. CLORAN—The House will probably prorogue this week. Then four or five months hence, in October next, Parliament goes out of business. Suppose the British Parliament does not pass the Bill, what are we going to do?

Hon. Mr. LOUGHEED—The hon. gentleman will have to ask me something easier than that.

Hon. Mr. CLORAN—As one who would like to see the country run on fair lines, I think the Government should take steps to find out what the British Parliament proposes to do in regard to this matter.

Hon. Mr. LOUGHEED—I shall make further inquiries, and if I obtain any information before prorogation, I shall be very glad to let my hon. friend know.

Hon. Mr. CLORAN—Not me alone, but the country.

Hon. Mr. LOUGHEED—Yes, I understand my hon. friend speaks for the country.

THIRD READINGS.

Bill (M-2), An Act for the relief of Martha Isabella Kenny.—Hon. Mr. Derbyshire.

Bill No. 81, An Act to amend the Canada Shipping Act.—Hon. Mr. Lougheed.

ST. PETER'S INDIAN RESERVE BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 67, An Act relating to St. Peter's Indian Reserve.

(In the Committee.)

On clause 2:

The patents of lands included in the said St. Peter's Reserve issued by His Majesty and the sales of such lands made on behalf of His Majesty in the said reserve are hereby confirmed and made good.

Hon. Mr. CLORAN.

Hon. Mr. BOSTOCK—I understood the hon. leader of the House to tell us the other day that one reason for taking this action was on account of the commission appointed by the Provincial Government for the purpose of investigating the surrender of these titles; but as far as I have been able to ascertain, the papers that were brought down afterwards did not contain any record of the finding of that commission.

Hon. Mr. LOUGHEED—My hon. friend probably misapprehends what I said. I stated that the Provincial Government of Manitoba appointed a commission of County Court Judges for the purpose of investigating the question of the surrender of those lands, with a view to determining the question whether the Registrar General of Manitoba should register the titles. That was peculiarly a provincial matter.

Hon. Mr. BOSTOCK—Could we not have that information?

Hon. Mr. LOUGHEED—This Government would not have the information officially, because it was a matter peculiarly under the jurisdiction of the Provincial Government. I have made further inquiry and am informed by the Deputy Superintendent General of Indian Affairs that the Registrar General of Manitoba yet refuses to recede in any way from the position which he then took as to the registration of the titles; and it is with a view of solving the difficulty which has arisen that the Federal Government has intervened and taken proceedings in the Exchequer Court for the purpose of determining the question, because the Federal Government has already issued the patents.

Hon. Mr. BOSTOCK—Are all the patents issued?

Hon. Mr. LOUGHEED—The patents are issued, I understand, by the Dominion Government; so the Dominion Government is practically absolved in the matter. But upon the presentation of those patents to the Registrar General, who is the head of that branch of the registration service in Manitoba, refused to register the patents which the Government had issued. Now this Government has intervened and brought about the settlement to which I have referred. I have made further inquiry also upon that subject, and am told that all the parties interested are most anxious to have the matter settled under the agreement between the parties to the litigation in the Exchequer Court. Many

of the purchasers have not only paid the extra dollar, but paid it a very considerable time ago, and they are very anxious that this settlement should be carried out.

Hon. Mr. BOSTOCK—Does that refer to the whole of the 615 names?

Hon. Mr. LOUGHEED—Yes. I understand so.

Hon. Mr. BOSTOCK—Because in the papers brought down the only letters that I could find referred to about 20 names; there was nothing to show that all the parties were represented.

Hon. Mr. LOUGHEED—I discussed the matter with the Deputy Superintendent General of Indian Affairs, and he said he understood that Mr. Hogg of Ottawa practically represents the whole of the parties interested.

Hon. Mr. DAVIS—I want to tell my hon. friend—and I am not breaking any confidence—that Mr. Andrews, the gentleman who has charge of those cases, informed me in the rotunda of the Chateau Laurier that every one of his clients, and himself too, considered they were being held up and robbed out of that dollar.

Hon. Mr. CLORAN—That is a pretty broad statement.

Hon. Mr. DAVIS—That is a pretty broad statement, and it is true.

Hon. Mr. POWER—I do not think I have shown any disposition to unduly obstruct the business brought by the Government before this House, but there are certain circumstances in connection with this measure which I think should give us pause. As I understand it, under our constitution the Dominion Government issue those patents, and inasmuch as in dealing with Dominion Lands the authority of the Dominion Government is the highest authority—

Hon. Mr. LOUGHEED—My hon. friend must remember that this question is one of registration. The Dominion Government has nothing to do with the registration of titles; that is a question that has been raised by the provincial authorities.

Hon. Mr. POWER—I was not mistaken about that; I understood that the registration was under the officer of the Provincial Government, but the point I proposed to make was this, that as regards these lands, the provincial officer is bound to obey the Dominion law.

Hon. Mr. LOUGHEED—No.

Hon. Mr. POWER—The hon. gentleman may shake his head, but I think that that is common sense, because if you have an administration here to which the Provincial Government is bitterly hostile, the Provincial Government might instruct the officer, inasmuch as he is their officer, to refuse to register any grants made by this Government. Now, will the hon. gentleman undertake to say that in that case the registrar would not be bound, as an officer pro tanto at any rate, of this Government—

Hon. Mr. LOUGHEED—He is not the officer of this Government.

Hon. Mr. POWER—to register the documents?

Hon. Mr. LOUGHEED—No, my hon. friend entirely misconceives the actual situation of the matter. The registrar of Manitoba is an officer of the Provincial Government.

Hon. Mr. POWER—Yes, I know.

Hon. Mr. LOUGHEED—Acting within the authority of the Provincial Legislature. The registration laws of Manitoba are exclusively within the jurisdiction and competency of that province.

Hon. Mr. POWER—Yes.

Hon. Mr. LOUGHEED—And nothing that this Government could say or do could possibly set in motion the registration laws of Manitoba. Now, the registrar of that province considered that the surrender was irregular—

Hon. Mr. DAVIS—No, no.

Hon. Mr. LOUGHEED—My hon. friend cannot say that. I prefer to take the finding of two judges to the dissenting voice of my hon. friend, who knows very little about it.

Hon. Mr. DAVIS—Where is the finding of the two judges? What have we to do with that? It is not here.

Hon. Mr. LOUGHEED—The finding of the two judges is a matter of public record in the province of Manitoba, and the registrar is the officer of the provincial Government. Now let me say to my hon. friends opposite, notwithstanding their insinuations that the registrar of that day acted at the instance of a Conservative Government, that that Conservative Government has disappeared; there is now a Liberal Government in Manitoba. The

registrar is the officer of that Liberal Government, and if an injustice has been done, let that Liberal Government give instructions to the registrar—

Hon. Mr. DAVIS—The Government of this Dominion issued a title to those people, and by their own action put a cloud on that title. The registrar of Manitoba, says, "Remove that cloud." Your Bill removes it; your Bill says, "We have nothing to do with the registrar there." Why does not this Bill make us have something to do with it, and do it without mulcting a number of honourable people of a dollar an acre?

Hon. Mr. LOUGHEED—With all due deference to my hon. friend opposite, who assumes a knowledge of this question, this Government has not put a cloud on the title. This Government transferred this land to the purchasers so far as they possibly could do so by issuing patents. Whatever has been done to prevent the registration of those patents has been done by the provincial officer to whom I have referred.

Hon. Mr. WATSON—The court in Manitoba decided that the registrar should not register those titles, and why?

Hon. Mr. DANDURAND—The court?

Hon. Mr. WATSON—The commission of three judges. Two were in favour of it, one was against it, and the court decided that there was a doubt as to whether the Act required a majority of the Indians belonging to that reserve to vote and be present when the surrender was made, or whether a majority of the Indians present could make a decision. I venture to say that if that clause requires that a majority of the Indians on a reserve should be present and agree to surrender, no surrender has ever been made in Manitoba, Saskatchewan, Alberta or British Columbia that could not be upset. That doubt was thrown on the title. How in the world will the payment of a dollar an acre improve conditions? How will that make it legal? Is that to save the Indians? Surely the registrar will not take into consideration the decision of this Parliament that they should pay a dollar an acre more. Is that the way the Government is going to remove a cloud on the title? It was Mr. Bradbury who started the trouble about these lands. It was a matter of politics. He was against the powers that be, and he wanted to show that the officers had used undue influence to secure that surrender. Nothing turned on the fact that the sale was not properly advertised. The evidence goes to show that the price paid for the land was an average price for similar land. There was no question of fraud in connection with the sale. It was properly advertised, and the auction sale took place. There was competition at the sale and the lands were sold to the highest bidders. There was no charge of any wrong doing until some eight years afterwards, and now we have a Bill saying that those people who bought that land cannot register their titles unless they pay a dollar an acre more. It was claimed by Mr. Bradbury in the first speech he made in the House on this question, that these lands sold for $6, and they were worth $21—that the late Government was going to cheat the Indians out of $15. The present Government proposes to remedy that by this Bill and now are going to cheat them out of $14. It seems to me the innocent purchaser should not be asked to pay anything extra. The solicitor who represents these people told me about a week ago, "We would rather pay the dollar an acre and get our title, than be hung up." These people have been hung up for eight years. It seems to me that if there is any cloud on the title, it will be removed by this legislation, but we should wipe out the dollar an acre. We should not be a party to that. The registrar held up the title at that time because his attention was called to the possibility of trouble because the surrender was not properly taken. That was the particular ground. It was that, and not because there was less than a majority of the Indians present consenting to the surrender. Anybody who knows anything about Indians knows that it is impossible to get a majority of the Indians on a reserve to agree to a surrender, because they are migrating all the time. Chief Justice Howell was appointed a commission to report as to whether the Indians should surrender that reserve, and reported in favour of the surrender and suggested the conditions on which it should be made. That order contained different provisions from general surrenders, because a number of those Indians were practically halfbreeds. They were located on the lands before the transfer to the province of Manitoba. Instead of being classed as Indians under treaty, they were classed as halfbreeds entitled to holdings, and I think it was contended that those squatters should have a free title to twenty-one acres apiece. Then complaint was made, Chief Justice Howell recommended to the Indians that

they should appoint a Mr. Semmens, a reverend gentleman who was one of the Indians that belonged to the reserve, as trustee to look after the land for them. The Indians objected. They insisted on getting a free title. They got a free title, and started to sell the land. Chief Justice Howell suggested to Macara, the registrar, that he should not recognize the sale, because these lands in some cases were sold for a few dollars or a few bottles of whisky, and that was why, in the first case, the registrar threw doubt on the title. Afterwards they came in and suggested one reason why the sale was not carried through was that the reserve was not properly taken from the Indians in the first place. With all the facts before us, we are justified in striking out the dollar an acre. It was put in to save the registrar. He got himself in trouble. That reserve is adjoining the town of Selkirk, and people know that Indians are much better removed from the vicinity of the town and the town is much better without the Indians. That whole side of the country was not being cultivated and Boards of Trade in Selkirk where the land is situated all applied to the Government to have this reserve thrown open. It was done that way and everything was regular with one exception, as to whether the majority of the Indians should be present at the meeting to decide the question of surrender. The Indians who attended the meeting were in favour of the surrender by a practically solid vote, and it was thought better to have the surrender carried out.

Hon. Mr. CASGRAIN—The question as to whether the surrender was good or not does not appear to me to have anything to do with the question. The purchaser put in his bid at the auction.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. CASGRAIN—I think the hon. gentleman from Portage la Prairie has travelled very wide of the mark when he speaks of the surrender being good, bad or indifferent. What has that to do with the auction sale?

Hon. Mr. WATSON—It has everything to do with it.

Hon. Mr. CASGRAIN—That has nothing to do with the third party, the man who bid and got the land. The Government should not look to the people who went to the auction and paid their money for the property. As far as they were concerned, that was the close of the transaction. In regard to what took place before that, the Government did not put the land up to auction without being the owner or assuming that they owned it. They advertised all over the province that they were the proprietors, and any one going to that auction should be entitled to get the property on payment of the price at which it was sold, no matter what had taken place before. I understand that people, to avoid litigation would readily say, "We would sooner pay a dollar an acre and have no trouble over it," but here the Government takes the case to the Exchequer Court. That is not a friendly way to settle the matter.

Hon. Mr. DANIEL—As I understand, the matter is a sort of compromise. The statement is made that the sale was not properly advertised, and only a few people were there.

Hon. Mr. WATSON—There is no charge of that kind.

Hon. Mr. DANIEL—And that it was not done in a proper, legal, and equitable way, and consequently the sale was really not valid. This thing took place some years ago. The reserve has been removed, and the purchasers offer to compromise this matter by giving the Indians a dollar more an acre, and call the thing settled. That is something that is done day after day—compromise. We could not get along in this world without compromise.

Hon. Mr. TALBOT—You must admit that if there were 600 odd purchasers the sale must have been pretty well attended.

Hon. Mr. DANIEL—One man might buy many lots.

Hon. Mr. DAVIS—If these titles are not valid I do not see how asking the purchasers to pay one dollar more is going to make them legal. What miraculous power has this one dollar? There is no use discussing the surrender, because the Government, by withdrawing the case from the court, acknowledged that it was regular. The patents were issued. Why should we ask the purchasers for another dollar? They do not want to pay it; they feel they have been robbed. When Mr. Andrews says a thing he means it, and he knows that these people should not pay that dollar, and he told the Registrar General that some time he would have to give that dollar back.

Hon. Mr. LOUGHEED—I am afraid I am wearying the House in repeating what I have already said on this subject, and in endeavouring to inform the hon. gentle-

man from Prince Albert of the facts of the case, but I am very solicitous that he should become fully aware of all the circumstances of which he is at present unaware. I should have thought that the industry of my hon. friend, and the way he has been working upon the question of the St. Peter's Indian reserve would have made him familiar with all the facts.

Hon. Mr. DAVIS—Only one day.

Hon. Mr. LOUGHEED—And he has come here to-night apparently unaware of the real situation. Let me go over it again.

Hon. Mr. DAVIS—I know it all.

Hon. Mr. LOUGHEED—The Registrar General of Manitoba is an officer charged with administering the registration laws of the province. The registration laws of that province come exclusively within the powers of the province. That officer is a servant of the Liberal Government. They could instruct him to act at once if they wished. If that officer is responsible for the trouble which my hon. friend says has been forced upon all those purchasers, then it is quite manifest that that officer can be instructed and dealt with by the present Government of Manitoba.

Hon. Mr. DAVIS—I quite agree with that.

Hon. Mr. WATSON—Will the hon. gentleman tell us why the registrar is holding up the title?

Hon. Mr. LOUGHEED—I am just approaching it. Consequently, if he is responsible for the alleged obstruction as that pointed out by my hon. friend, the course of the Manitoba Government is quite clear. They should order the Registrar General to register those patents, and issue the certificate of title; but it happens that the Government of Manitoba approves inferentially—

Hon. Mr. POWER—Did approve.

Hon. Mr. LOUGHEED: And the present Government approve inferentially of the course taken by the Registrar General. The Registrar General becoming somewhat anxious to ease the pressure made upon him from time to time by the purchasers of those lands to register the patents and issue certificates of title, made this proposition. It is not the proposition of the Federal Government but the proposal of the Registrar General himself for the purpose of validating that surrender, and he has written a letter which reads as follows:

Sir,—I understand that a proposition has been made in regard to the titles to lands in the St. Peter's Indian Reserve, the proposition being that if the purchasers of the lands in that reserve will pay in cash or give a lien or charge to the Indian Department of $1 per acre, the Dominion Parliament will pass legislation to confirm that surrender. I understand that there are some cases in which parties are anxious now to have some of these lands released and obtain certificates of title therefor under the Manitoba Real Property Act. I may say that this proposition would be quite satisfactory to me, and so far as the latter class of cases is concerned, that is to say, where the $1 is to be paid in cash,—I would have the money paid in my office here, to be held in trust, and I would then issue a certificate of title clear of all encumbrance, to the purchaser of the lands upon which the $1 per acre has been paid in cash.

I am willing to do this to relieve the situation provided you will give me an undertaking in writing that you will introduce in the next session of Parliament of Canada, a Bill as a Government measure, to confirm the surrender in question, and will use every effort of yourself and your colleagues to have the Bill passed.

If this is satisfactory to you, please write me at once, giving the above undertaking.

I have the honour to be,
Your obedient servant,
(Signed) W. E. Macara,
Registrar General.

Hon. Mr. THOMPSON—To whom was that letter written?

Hon. Mr. LOUGHEED—The Minister of the Interior, and the Minister of the Interior writes as follows:

On behalf of the Government of Canada, I undertake to introduce at the next regular session of the Parliament of Canada, a Bill as a Government measure to confirm the surrender of the St. Peter's Indian reserve, the validity of which is now in question on the information of this Government in the Exchequer Court.

After giving certain details, he goes on:

This Bill the Government will use every effort to have passed.

Then, after the proceedings had been taken in the Exchequer Court to have the Exchequer Court declare upon the validity or invalidity of the surrender, the matter has been settled in this way, at the instance of the Registrar General of the province of Manitoba. Upon this money being paid, and upon this Bill being passed by the Parliament of Canada, validating the surrender, the Registrar General of Manitoba will accept the patents already issued by the Dominion Government, and will issue thereupon a certificate of title, and that will terminate the matter.

Hon. Mr. WATSON—It seems to me rather a peculiar procedure. If that communication had been presented by the Attorney General of Manitoba to the Minister of the Interior, it would have been a different matter, but here the Registrar General, a servant of the Manitoba Government, undertakes to dictate how he will accept legislation, and under what circumstances he will register title, it seems to me not consulting the Manitoba Government at all. Does it not strike the hon. gentleman as peculiar that Mr. Macara, the Registrar General of Manitoba, should write such a letter as that to the Minister of the Interior?

Hon. Mr. LOUGHEED—I think it is all right, because Mr. Macara can exercise his discretion as to the conditions upon which the surrender should be validated, and this is the condition which he stipulates.

Hon. Mr. WATSON—As I stated before, the only doubt that could arise in Mr. Macara's mind was when his attention was called to the fact that a majority of the Indians belonging to the reserve were not present when the surrender was made, and how a dollar an acre can remove that doubt I cannot understand.

Hon. Mr. DAVIS—And nobody else can understand.

Hon. Mr. CLORAN—It would look unwise for a far-easterner to take part in this debate. Although coming from the East, I generally try to observe what is going on, and try to acquire all the knowledge I can out of a debate. I have learned this much: that there are two outstanding features in this debate, one statement coming from the leader of the Government, who is obliged to bring down this measure, and who has been obliged, owing to his position, to give certain explanations which are not according to the fact. That is a pretty bad statement. The hon. leader convinced me last week, when he introduced the Bill for second reading, that there was nothing to complain of since the 615 purchasers who purchased this land were all satisfied with the Bill introduced by him on behalf of the Government. I said to myself, if the parties interested in this transaction are satisfied, why should I be dissatisfied and find fault? That statement was made by the leader of the Government last week and repeated last night, and what do we find as a feature of this debate? We find a flat contradiction in as plain and bald terms as possible, given to the leader of the Government, whom I do not hold personally responsible. He is acting for the Solicitor General, or the Department of Justice, in this matter. He gives to the House what is told him, and what is told him is very often not true. Now, we have two hon. senators on the floor of this House who are acquainted with all the facts, and who have made it their business to study the situation, to take up the interests of the half-breeds and Indians who bought those lands; they are the senators from Prince Albert (Hon. Mr. Davis) and Portage la Prairie (Hon. Mr. Watson). And what do they say? They say that what the leader of the Government has declared here is not true. The leader of the Government convinced me last week that the 615 purchasers of these lands were satisfied with the arrangement confirmed by this Bill, and I felt that I had no business to interfere; but to-night what do we find? We find a contradiction in the most open way given to the Government. The hon. senators from Prince Albert and Portage la Prairie have stated to the House that it is not true that those 615 men are satisfied with the provisions of this Bill. Which statement are we to believe? Here we have two senators who declare on the floor of the House that the statement of the Government is not according to facts. That is the one feature of the debate which leaves me, and ought to leave other senators, in a position of doubt as to what are the real merits of this question. The other feature of the debate is the letter which has just been read by the leader of the Government from some official of the Provincial Government in Manitoba called the Registrar General. We are not all built alike, but if I were the leader of the Government I would have thrown that letter out. It is insolence, impertinence, for any tupenny-hapenny officer in a Provincial Government to dictate to this Government what provisions should be contained in a Bill. And what is the provision? The provision is the bone of contention between—I hate to call him the leader of the Government—between the Department of Justice—

Hon. Mr. LOUGHEED—Do not hesitate.

Hon. Mr. CLORAN—I mean you are not responsible. I mean to say that the bone of contention is between the hon senators from Prince Albert and Portage la Prairie and the Department of Justice, not between them and you; I know if it were in your hands it would have been dictated otherwise.

Hon. Mr. LOUGHEED—Thank you.

Hon. Mr. CLORAN—But we are up against what they call the Department of Justice, and the Department of Justice submits to the authority of an officer of the Manitoba Government, a man whom the Grits are afraid to behead—who says, "If you pass that Bill with the dollar clause in it, I will register the title." I have never seen such impertinence and such insolence. And how will the provision of a dollar in the Federal Bill validate the title? How will it validate all the proceedings?

Hon. Mr. LOUGHEED—By this legislation.

Hon. Mr. CLORAN—I know, but is not that insolence from a tupenny-hapenny officer in a Provincial Government, to dictate what shall be in the Federal Bill? Either there is a principle at stake or there is not. If there is a principle at stake it is not a dollar that will retain the principle or validate the title. Until it can be proven that the Government are right in stating that the 615 purchasers are satisfied with the present Bill, and until the two senators from the Northwest are made to withdraw what they have said, it is impossible for any senator to cast an intelligent vote; there remains a doubt. In regard to the proposition coming from the Registrar General, which is embodied in this Bill, I say it should not be tolerated for one moment. The question of a dollar does not amount to much, but it is a question of principle at stake. Those men who bought their lands at public auction from the public officer should not have their titles questioned either by this Parliament or by the Registrar General of Manitoba or by the Exchequer Court, and there is no court in the British realm that would sanction the sacrifice of individual rights in that regard. I hold that the stand taken by the hon. gentlemen from the Nortnwest is in the interest of truth and of justice.

Hon. Mr. POWER—Before the motion is carried I wish to say that if all the parties are satisfied, of course it may be said that we have no reason to quarrel with the measure, but looking to the future, it seems to me that it is the duty of the Government of Canada to stand behind their grants.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—Now, this dollar an acre is a small matter, but the amount involved might be very much larger, and as the hon. gentleman who has just taken his seat said, this is a question of principle, and we should be establishing a most unfortunate precedent if we decided that, when the Dominion Government had solemnly sold certain lands, they could afterwards decline to complete the grant.

Hon. Mr. LOUGHEED—They have not. The Dominion Government issued their patents, but the quarrel is with the provincial officer.

Hon. Mr. POWER—Then the point is that this Bill has come to the wrong place.

Hon. Mr. LOUGHEED—No.

Hon. Mr. POWER—The Dominion Parliament are functus officio; they have done all they should do and all they have a right to do.

Hon. Mr. LOUGHEED—No; from my perusal of the correspondence the solicitor of, I think, most of the purchasers suggested that they would be willing to pay an extra dollar an acre if the Government of Canada would bring in legislation declaring this surrender under the Indian Act to be a valid surrender, and so far as I can ascertain, it is all a matter of compromise.

Hon. Mr. CLORAN—Now which statement is correct? That is the third time the hon. gentleman has made the statement that the most of the purchasers were willing to accept this legislation. Is the Government right, or are the members for Portage la Prairie and Prince Albert right? If the leader of the Government is right I shall vote with him.

Hon. Mr. LOUGHEED—All are right within their own judgment.

Hon. Mr. WATSON—I think the leader of the Government is right in his last statement; he says that the purchasers, anxious to get title, suggested that the Government bring in legislation that would validate the surrender. Now, that has been all the trouble; that is what I have been trying to explain; it was on the surrender, not the price at all, and how in the world a dollar an acre can prove the surrender was valid I cannot understand.

Hon. Mr. DANIEL—But it does.

Hon. Mr. LOUGHEED—It is surprising what a dollar an acre will do.

Hon. Mr. WATSON—I think to-morrow or the day after we can find whether the dollar an acre will do what the hon. gentleman says it will. If the leader of the House is willing, I move that the committee rise and report progress and ask leave to sit again. I think to-morrow, or the day after, we will get more light.

Hon. Mr. LOUGHEED—May I ask the object of my hon. friend in making this suggestion?

Hon. Mr. WATSON—My object is this: I purpose, as far as I can, getting all possible light on this subject. A letter from the registrar of Manitoba has been read here to-night, of the existence of which I was not aware, and I think it was considerable of an impertinence for him to send anything of that kind to the Minister of the Interior. We ought to hear from the Attorney General, who is head of that department, and I purpose wiring him and finding out why those letters were sent.

Hon. Mr. LOUGHEED—All right.

The motion was agreed to.

Hon. Mr. BOLDUC, from the committee, reported progress and asked leave to sit again on Wednesday.

CANADA TEMPERANCE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 90, An Act to amend the Canada Temperance Act.

Hon. Mr. BOSTOCK—Is there some explanation of this?

Hon. Mr. LOUGHEED—Yes, the object of these amendments, hon. gentlemen, is to bring the Canada Temperance Act into line with the legislation which is now before us for consideration with reference to prohibiting the importation of liquor into the provinces that have adopted prohibitory legislation. It is needless for me to say that the Canada Temperance Act is a Federal Act which is in operation in many of the provinces of Canada, and that, although different provinces have adopted that legislation, it will in no wise affect the operation of the Canada Temperance Act. In other words, provincial legislation upon the subject of the liquor traffic cannot affect the legislation passed by the Federal Government. Now, the object of the amendments is to place those districts where the Canada Temperance Act is in force in an analogous position to those non-prohibition provinces that are prevented from importing liquor into a prohibition province. That, hon. gentlemen, is the object of the Bill. It may be asked "why should the Canada Temperance Act, that is in operation in the different provinces, not come under the prohibition legislation of the different provinces, so that that prohibition might have a relation to the whole province?" The answer to that is this: That in most of these provinces where prohibition has been enacted, that prohibition is not yet in operation. In the province of Manitoba it does not come into operation until some time during the present year. In the province of Saskatchewan they have a dispensary system in connection with their prohibitory legislation. In the province of Alberta their provincial Act does not come into operation until the 1st July. In Ontario the Prohibition Act does not come into operation I understand until September. Consequently, it is not desirable that the operation of the Canada Temperance Act in the various provinces should be disturbed in any way at the present time. I have no doubt that when prohibition comes into operation in those various provinces that have placed it upon their Statute Book, it will then be regarded as desirable that the whole of the province should come within the enactment and probably legislation will be sought to repeal the Canada Temperance Act, so far as the Act is in operation in those provinces. That I cannot say; I simply anticipate that that may possibly be the position taken by these provinces.

Hon. Mr. CASGRAIN—That is the Act commonly called the Scott Act?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. McSWEENEY—Whenever you have prohibition it will wipe out the Scott Act.

Hon. Mr. LOUGHEED—Yes, I think that will be the logical consequence of what will take place.

Hon. Mr. McSWEENEY—Do not give us too many of these Acts.

Hon. Mr. LOUGHEED—From what my hon. friend said as to Moncton, I do not

apprehend there will be any difficulty in quenching the most insatiable thirst.

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

BOUNTIES ON ZINC BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (94) An Act to provide for the payments of bounties on Zinc produced from zinc ores mined in Canada.

He said: The object of this Bill is to encourage the production of spelter, or zinc, within Canada. Since the beginning of the war the price of spelter has gone up, as hon. gentlemen are probably aware, to 30 or 40 cents per pound. The production has enormously increased. We have certain zinc deposits in the Dominion of Canada, and in Trail, in the province of British Columbia, some development has taken place in the smelting of zinc by the electrolytic process. The object of this bounty is to promote the continuous development of that industry in Canada. There was some apprehension some time ago that producers in Canada would not be warranted in expending any substantial amount of money in developing the smelting industry in this particular product except there was a distinct understanding with the Government as to what the future would be. It appeared at the time that they entered upon this enterprise that the war would very speedily terminate, and that they would scarcely be warranted in entering upon any very large operations in this particular business. The Government made provision at the time when they were approached that they would undertake to purchase a certain quantity of spelter at, I think, about 15 cents per pound, and would likewise make provision by legislation for the payment of a bounty until July 31, 1917, if spelter should fall below 8 cents a pound. There is no probability, I might say, of the Government being called upon to pay this bounty. The period expires on the 31st day July, 1917; that is to say, the producer of spelter after that date would not be entitled to the bounty in question. The contract entered into by the Government with the company in question has permitted of the Government saving something like 25 cents per pound that they otherwise would have to pay if they bought spelter in the open market for the manufacture of cartridges and other munitions; so the Government, by this legislation, has already more than reimbursed itself of the amount which it would have to pay under any and all conditions even if the law came into operation.

Hon. Mr. BOSTOCK—Do I understand that the Government have entered into a contract with the Trail smelter to buy spelter at this price of 15 cents a pound?

Hon. Mr. LOUGHEED—Yes, I think the Shell Committee is taking somewhere like 16,000 tons. The Government, by giving them this order, has been able to induce them to enter upon their operations to the extent that they have gone.

Hon. Mr. BOSTOCK—16,000 tons at 15 cents a pound.

Hon. Mr. LOUGHEED—There are two companies producing zinc in Canada. There is a company, I think, in Quebec.

Hon. Mr. McSWEENEY—I have not heard of any in Nova Scotia. It must be Granby.

Hon. Mr. LOUGHEED—There are two companies producing zinc in Canada. The Consolidated Mining and Smelting Company of Trail, B.C., and the Weldon Mining Company, of Quebec. The Government has entered into a contract, or rather the shell committee was enabled to make a contract with the Consolidated Mining and Smelting Company of 8,000 tons at a price of 15 cents per pound, with an option upon 8,000 additional tons at a price of 12½ cents per pound. I might say that spelter, at that particular time, was selling for 40 cents a pound in the United States, but owing to the promised legislation they were enabled to make very favourable contracts.

Hon. Mr. BOSTOCK—I suppose there will not be very much bounty paid under this Bill, as the price of spelter is liable to keep up until the 31st July, 1917. I notice, on comparing this Bill with other Bills of the same nature, such as the Lead Bounty Act passed some time ago, that there was a difference in the wording of it. In this particular Bill no provision is made as to where the money is to go. When we were dealing with the question of lead bounties it was specially specified that the bounty should be paid to the producer of the lead, but all that this Bill says in the second clause is that the Governor in Council may authorize the payment, etc. It does not say to whom it is to be paid.

Hon. Mr. LOUGHEED—That might easily be inferred.

Hon. Mr. BOSTOCK—After the hon. gentleman's explanation it might be quite clear, but not to the ordinary man taking up the Act, and with regard to the contract the hon. gentleman has referred to, I suppose there is nothing to prevent the Government paying the bounty, supposing this Act should ever come into effect, to any other smelter.

Hon. Mr. LOUGHEED—Oh, no. To any one producing the zinc.

Hon. Mr. BOSTOCK—It might be that other companies would put in an application for bounties. It is not tied up any way to that particular company?

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. BOSTOCK—The hon. gentleman refers to the price of spelter. I took the trouble to find out what the price for spelter has been and the figures I received do not agree with what the hon. gentleman said just now. I was informed that during 1914 the price of spelter was about 5·21 cents per pound, during that year there was very little variation in the price, but in 1915, in January, the price was 6.2 cents per pound, and in June it jumped to 21·2 cents. Then after that in August it fell to 12·7 cents, and in January, 1916, it was up to 16·9 cents.

Hon. Mr. LOUGHEED—I was quoting spelter in the United States. At the particular time to which I allude it was selling in the United States at 40 cents per pound. Spelter—which I understand is pure zinc—is 30 cents a pound.

Hon. Mr. McSWEENEY—It changes with the demand.

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

PROVINCIAL PROHIBITION AID BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 66, An Act in Aid of Provincial Legislation prohibiting or restricting the sale or use of intoxicating liquor.

(In the committee.)

On clause 2:

Hon. Mr. POWER—Is that not a very serious penalty to impose?

Hon. Mr. ROSS (Middleton)—I do not see the necessity for that clause. It looks to me almost like vindictive legislation. There are certain cases where a punishment of that kind might be of value; that is, if you are dealing with men who carry on what is known as a floating bar, where they have not any property to get at beyond the clothes on their back, and where they are here to-day and away to-morrow; but in the case of a brewery or distillery, where there are high penalties as there are in those cases, I would think that the penalty alone is quite sufficient without this extraordinary clause providing for the cancellation of their license. I move that that clause is struck out of the Bill.

Hon. Mr. MURPHY—It seems to me that this is not at all vindictive legislation. As hon. gentlemen are well aware, penalties for violations of the Liquor Act are usually heavy. The Dominion Government is endeavouring to take a step to help the Provincial Government to enforce their prohibitory clause, and this is the main lever that they have in regard to the distillers and brewers—the cancellation of their licenses—and to my mind, instead of being vindictive, it is in accordance with the spirit of the law, and a necessary safeguard for a proper enforcement of the Act.

Hon. Mr. ROSS (Middleton)—This Act does not necessarily have anything to do with prohibition. This measure would be in full swing in all Canada, even if there were not a prohibitory law in any one of the provinces. It will apply just as well where there is a license Act, a dispensary Act, or any other provincial law, and it is not correct to say that it is an assistance to prohibitory legislation. It is a law that, in some respects, is quite justified, namely, providing a penalty for anyone violating a provincial law in a province. But the penalties are very severe, and a brewer or distiller is not an object that vanishes in thin air. You can always get at them and make them pay their fine. The last part of clause 1 is sufficient.

Hon. Mr. POWER—The hon. gentleman claims that clause 2 is unnecessary, and I think it will strike anyone that that is so, because under clause 1 the brewer, or distiller, is liable for a first offence to a penalty of not less than $100 and not exceeding $200, or imprisonment not exceeding two months, with or without hard labour, and for a second offence to a penalty of not less than $200, and not exceeding $500, or imprisonment for a term not exceeding four months, with or without hard labour,

and for a third and every subsequent offence to a term of imprisonment not less than six months, and not more than twelve months, with or without hard labour. In addition to that all the liquors are to be destroyed. It seems to me that is quite sufficient punishment to the brewer and distiller as well as to the retail dealers. Why should we go on and, in addition to that, provide that the brewer's license shall be suspended for three months if he offends against clause 1. There are large numbers of men employed in breweries and distilleries, and if you close up an establishment of that kind for three months, the effect on the men employed, as well as on the brewer or distiller, is very serious, and I shall be very happy to support the amendment.

Hon. Mr. MURPHY—Those brewers, or distillers, are men of very ample means, and they can with great ease ship their goods into a province where there is a prohibitory law, or any other kind of law for the suppression of the liquor traffic. They are men hard to get at. Evidently, when this enactment was being made all those things were being considered, and the necessity of clause 2 fully brought out. We have had a prohibitory law for some 16 years, and therefore are in a position to understand how hard it is to safeguard the interests of temperance from outside interference. In our experience of the prohibitory law, in Prince Edward Island, the proximity of New Brunswick and Nova Scotia has greatly interfered with its strict enforcement, and I contend that to make this Bill effective, it requires to be very drastic, and that when a brewer contravenes its provisions two or three times, his license should be cancelled.

Hon. Mr. DANIEL—As I remember the Act when it was first introduced it did not contain that section. If my memory is correct it was put in at the suggestion of some member of the House of Commons. Personally I think that the penalty in clause 1 is quite sufficient to prevent a brewer or distiller from disobeying the law. If you put a brewer into prison for six months at hard labour, I think it is quite severe enough punishment without destroying his business. As the hon. gentleman from Halifax states, he employs a great number of men, who are supporting families. It would not only punish the distiller and brewer, but punish the innocent employees, which I think is going too far. The amendment of the hon. senator from Middleton, that that restriction should be stricken out of the Bill, should be carried, and it could be done without injuring the Bill in any degree. The penalties are sufficiency severe without that.

Hon. Mr. WATSON—I do not agree with the conclusion of the hon. gentleman from Halifax and the hon. gentleman from St. John. These distillers are all big men, and are the men that would be interested in violating the law by shipping into another province. I think this has been very carefully considered and properly placed in the Bill. The day for arguing for employees of the breweries or distilleries had I thought gone by. I think the feeling in Canada, and all over the world, is that the quicker these men are put out of business the better. I do not know that it would hurt the brewer very much to be given six months at hard labour. Perhaps it would compel him to resort to some other occupation than making beer.

Hon. Mr. DANDURAND—That is not the first clause.

Hon. Mr. WATSON—I understand that. The penalty in this second clause is to forfeit the license, and we have in our law—

Hon. Mr. DANIEL—That is in addition to the other.

Hon. Mr. WATSON—I think you ought to apply the severe penalties to the big men.

Hon. Mr. DANIEL—Then strike out the other.

Hon. Mr. WATSON—No. The brewer should be very careful to ascertain where his liquor is going when he ships it. This is an Act to enable the provinces to carry out the wishes of the people.

Hon. Mr. POWER—The province cannot touch it; it is the Dominion Government.

Hon. Mr. WATSON—I say that this is an enabling Bill passed by this House to enable the people of the provinces to carry out their wishes in regard to prohibition. Prohibition has been passed in practically every province in the Dominion. As I said the other day, this Bill appears to be the road of least resistance as far as the Government at Ottawa is concerned. The temperance people have asked for total prohibition throughout the whole Dominion, but the Government see fit to substitute this. I think we ought to have a very severe

penalty on distillers and brewers who ship liquor into provinces that have declared for prohibition. In my province the people voted about two to one in favour of prohibition, and I should like to see a provision inserted here that would assist the province to maintain that law.

Hon. Mr. BOSTOCK—I take rather a different view of this matter from my hon. friend from Portage la Prairie. It seems to me this affects the question of a brewer in a province that has no prohibition law, and if this brewer ships his beer into a province where there is prohibition in violation of the law of that province, then the Dominion Government steps in and says his license can be taken away.

Hon. Mr. MURPHY—Why not?

Hon. Mr. BOSTOCK—It might very materially affect the interests of the province in which that brewery is being carried on. It seems to be very drastic legislation. I think the penalties under clause 1 are quite sufficient. I do not see why the people in a province where the beer is being brewed, who may not believe in prohibition at all, should be penalized in that way.

Hon. Mr. WATSON—They can drink it all.

Hon. Mr. MURPHY—They can drink it nearer home.

The motion to strike out the clause was carried on the following division:

Yeas 12, nays 8.

On clause 4—"Accused must prove that he has good reason for believing liquor would not be dealt with illegally."

Hon. Mr. LOUGHEED—I promised to let this clause stand before finally dealing with it, as it may possibly elicit a very considerable discussion.

Hon. Mr. DANDURAND—He is adverse to this clause?

Hon. Mr. LOUGHEED—Yes, we will discuss it but not finally dispose of it.

Hon. Mr. ROSS (Middleton)—This clause makes the man that is charged guilty before he is proved guilty; that is to say, it provides that he shall be held to know what, in other cases, has to be proved against him. That is contrary to all ordinary criminal legislation. There is very little legislation on our statute-books similar to that. I took the trouble of looking over the Inland Revenue Act where there are a great many penalties imposed for violation of the Act, but I found only one case where the burden of proof is thrown upon the person accused, and that is in the clause that provides that a man with goods in his possession that have to pay excise duty shall be deemed to be guilty unless he proves his innocence. But the explanation of that is simple enough, and it is fair enough, because the inland revenue has stamps and marks, and a man who receives goods can always protect himself by keeping those marks and keeping the packages and showing that they are properly stamped in accordance with the Inland Revenue Act. There are hundreds of other penalties under that Act, but, with the exception of that one case, I cannot find any of them where the accused is held to have known that he was doing a wrong thing, and I should like to see that clause either taken out or amended.

Hon. Sir MACKENZIE BOWELL—Did you consult the Railway Act?

Hon. Mr. ROSS (Middleton)—No, I did not consult the Railway Act; I just consulted the one Act, the Inland Revenue Act.

Hon. Sir MACKENZIE BOWELL—There is no question as to the general opinion about the principle that a man should not be declared guilty until he is proved guilty; but if my hon. friend will consult the Railway Act he will find that the railways are obliged to prove that where the property of farmers and others on the line of a railway has been destroyed, the destruction was not due to carelessness on the part of the owners of the railway company. If he consults the Customs Act he will find that it goes far beyond the principle or the provisions that he has quoted from the Inland Revenue Act; and any one who has administered the Customs Act, or Acts of that character and the many cases that are brought under his notice, will come to the conclusion that it is utterly impossible to enforce the Customs Act unless the onus of proving his innocence is put upon the man accused. I could occupy an hour in showing the impossibility of carrying out the Customs Act if that principle were not in it. I well remember discussing that question in the House of Commons some years ago when the Hon. Edward Blake, whom we all admitted as possessing an intellect as keen as that of any man who

ever sat in Parliament, and the Hon. Mr. Davies, afterwards Justice of the Supreme Court, took the view that no man should be required to clear himself. After the explanation was made, they both came to the conclusion that it was desirable that that principle should be recognized in Acts of that kind, to make the enforcement of the provisions of such laws successful. The whole object of the present Bill is not, you may say, in favour of prohibition but rather recognizing to the fullest possible extent the rights of the provinces to deal with the question; but in dealing with the question the provinces find that, owing to the divided authority between the Dominioin and the provinces, unless the Dominion Government comes to the aid of the provinces and assists them in enforcing the laws that they enact, their legislation would be comparatively useless. This Act is simply a recognition of the right of the province to deal with this question, and to help them to render their laws effective. My hon. friend spoke a moment ago about depriving men of labour. That is quite true, but that applies to every Act which touches occupations with which the legislation interferes. To be consistent, he should vote against every law that would have the effect of taking work away from the employees engaged in the industry interfered with by the enactment. In passing a prohibitory law, of course you deprive thousands of people of employment. In passing the Scott Act, or the Canada Temperance Act, you do precisely the same thing. If we were to adopt that principle, we should pass no laws of that kind.

Hon. Mr. LOUGHEED—As we have a thin House, and I promised the hon. gentleman from Montreal (Hon. Mr. Boyer) to let the matter stand until to-morrow, I move that the committee rise and report progress, and ask leave to sit again to-morrow.

Hon. Mr. WATSON—Before the committee rises I want to say that for the same reason that the hon. gentleman gives for rising now—the thin House—when this Bill comes before the House again I shall move to restore clause 2.

Hon. Mr. MURPHY—Hear, hear; I will second that.

Hon. Mr. LOUGHEED—It is always in order in Committee of the Whole to take up any clause that has been dealt with.

Hon. Mr. McSWEENEY, from the committee, reported progress and asked leave to sit again to-morrow.

BILLS INTRODUCED.

Bill (97), An Act for granting to His Majesty aid for Military and Naval Defence.—Hon. Mr. Lougheed.

Bill (98), An Act to aid in the construction of certain lines of railway of the St. John and Quebec Railway Company, and to confirm an agreement between the company and the Governments of Canada and New Brunswick.—Hon. Mr. Lougheed.

Bill (99), An Act to amend the Exchequer Court Act.—Hon. Mr. Lougheed.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE.

Tuesday, May 9, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

EXTENSION OF PARLIAMENT.

Hon. Mr. CLORAN—Once more I am obliged to ask the Government for information to which the country is very much entitled. Some months ago the Parliament of Canada passed a Bill whereby the present party in power was to remain in existence for a year, notwithstanding the constitutional privileges of the British North America Act. That Bill was passed by the House of Commons and the Senate. A persistent rumour is now in circulation, which is of a damaging character. What I want to know, and, as the leader of the Government suggested the other night, what the country wants to know, is—

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has no right to discuss the question.

Hon. Mr. CLORAN—Ninety-five years of experience ought to be enough. I am putting the question on broad grounds.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is doing more than that.

Hon. Mr. CLORAN—If I put a question so that the hon. leader has to say yes or no, the country would be very well enlightened.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. CLORAN—Then they would not be enlightened. The extension of Par-

liament Bill was passed some three months ago. There is a persistent rumour that if the British Parliament has not dealt with the measure, it is because the Secretary of State of the Dominion of Canada has not transmitted that measure to the Imperial authorities. Is that true or not true? That is the point in which the public of this country is interested.

Hon. Mr. LOUGHEED—I take exception to that.

Hon. Mr. CLORAN—If you take exception get on your feet and be a man.

The SPEAKER—The hon. gentleman——

Hon. Mr. CLORAN—There is nothing for the Chair to rule——

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

Hon. Mr. CLORAN—Sure I will.

The SPEAKER—The hon. gentleman is quite out of order. There is nothing before the Chair.

Hon. Mr. CLORAN—There is a question before the Chair. I am asking the Government a question.

Several hon. GENTLEMEN—Order, order.

The SPEAKER—Orders of the Day.

Hon. Mr. CLORAN—No, no. You can rule me out of this House, but——

The SPEAKER—If the hon. gentleman wants to go——

Hon. Mr. CLORAN—Rule me out of the House.

The SPEAKER—Well, it will not take a long time. I call the hon. gentleman to order.

Hon. Mr. CLORAN—I am in order now

The SPEAKER—Keep quiet. Orders of the Day.

Hon. Mr. CLORAN—I protest.

The SPEAKER—Orders of the Day.

Hon. Mr. CLORAN—I must protest.

The SPEAKER—I will name the hon. gentleman if he does not stop.

Hon. Mr. CLORAN—Well, name me.

The SPEAKER—Hon. Mr. Cloran.

Hon. Mr. TAYLOR—The Sergeant-at-Arms will do his duty.

Hon. Mr. DOMVILLE—Can nobody ask a question of the Government?

The SPEAKER—We cannot discuss a decision unless it is appealed from. The hon. gentleman has a right to put a motion. He has a right to ask the adjournment of the House for an urgent matter; but he has no right to come and ask those questions now and discuss the matter.

Hon. Mr. DOMVILLE—Has he no right to ask a question?

The SPEAKER—Yes, but no right to discuss it.

Hon. Mr. CLORAN—I do not discuss the question. I obey the ruling of the Speaker. I have no right to discuss the question. I asked the Government if it is true that the Extension Bill, through the fault of the Secretary of State or whatever department is responsible, has not been forwarded to the British Government.

Hon. Mr. LOUGHEED—I take exception to that; that is out of order entirely.

Hon. Mr. CLORAN—Oh, is it?

Hon. Mr. LOUGHEED—Yes.

The SPEAKER—The hon. gentleman is obliged to accept the answer.

Hon. Mr. CLORAN—I appeal from the decision of the Speaker, that my question is out of order.

Hon. Mr. DAVIS—Give notice of your question to-morrow.

Hon. Mr. DANDURAND—The hon. gentleman should know that when a question is put and the reply is declining to answer, he has no other recourse than to give notice in writing of a question which will be answered in due time.

Hon. Mr. DAVIS—Put your notice in writing.

The SPEAKER—Orders of the Day.

BOUNTIES ON ZINC BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 94, An Act to provide for the payment of bounties on Zinc produced from Zinc Ores mined in Canada.

(In the Committee.)

On clause 3:

No bounty shall be payable under this Act on zinc or spelter produced during the continuation of the war, and in no event shall bounty be payable on zinc or spelter produced after the thirty-first day of July, one thousand nine hundred and seventeen.

Hon. Mr. POWER—I think that clause requires a little explanation. It does not now look very likely that the war will be over at that time and consequently there will be no bounties payable at all under this.

Hon. Mr. LOUGHEED—If the war terminates before the 31st day of July, 1917, and spelter during that period should fall below 8 cents per pound then the bounty would automatically come into operation; but those are conditions which are not likely to happen, so, as I said last night, there is little or no probability of the Government ever being called upon to pay this bounty.

Hon. Mr. CASGRAIN—If I understand rightly from the Government, it simply means a guarantee that there will be no loss, as far as the bounty is concerned, if the war should end before that time.

Hon. Mr. LOUGHEED—Yes, precisely.

The clause was adopted.

Hon. Mr. EDWARDS, from the Committee, reported the Bill without amendment.

PROVINCIAL PROHIBITION AID BILL.

HOUSE IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill No. 66, An Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors.

On clause 4:

Accused must prove that he had good reason for believing liquor would not be dealt with illegally.

Hon. Mr. WATSON—This Bill was discussed last night, and the committee decided to strike out clause 2, I suggested that when we had a fuller House I would move to have that clause restored. As it may have some bearing on other clauses, I move we reconsider clause 2.

Hon. Mr. MURPHY—I have great pleasure in seconding the motion.

The CHAIRMAN—I declare that motion out of order. I have just consulted the Speaker in regard to it.

Hon. Mr. WATSON—I shall appeal against the ruling of the Chair. It is always in order to reconsider a clause of a Bill in Committee of the Whole. My motion is for the purpose of reconsidering clause 2.

The SPEAKER.

The CHAIRMAN—The Speaker says it is out of order.

Hon. Mr. WATSON—I appeal from the ruling of the Chair.

Hon. Mr. BELCOURT—Is it a question for reconsideration?

Hon. Mr. MURPHY—Yes.

Hon. Mr. CASGRAIN—That is in order.

Hon. Mr. MURPHY—There must be a chance for reconsideration. Under the ordinary rules of debate, those holding in the affirmative can ask at the next meeting for reconsideration, and I understand that applies also under the rules of the Senate.

The CHAIRMAN—It cannot be considered except on the third reading.

Hon. Mr. WATSON—We are in committee.

Hon. Mr. SPROULE—As I understand, this clause was considered at the last sitting and struck out. It is therefore not of the Bill, and to move to-day reconsideration of a clause that is not in the Bill would be out of order; but after the Bill has gone through the various stages, it would be in order to move that the clause might be reinstated again, but not until then.

The CHAIRMAN—At the last stage, on third reading.

Hon. Mr. CASGRAIN—It is not a question of reinstating the clause; it is a question of reconsideration, which is very different.

Hon. Mr. SPROULE—If the clause is not there, there is nothing to reconsider.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANIEL—Rule 25b provides that—

An order, 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 the senators present vote in favour of its rescission; provided that, to correct irregularities or mistakes, one day's notice only shall be sufficient.

Hon. Mr. THOMPSON—That does not apply.

Hon. Mr. DANDURAND—The hon. gentleman will see that the rule that has been cited refers to the action of the Senate, not of the committee.

Hon. Mr. LOUGHEED—It is quite apparent we can proceed with the Bill and, after the committee stage is passed and before the report of the committee is made, a motion would be in order to send it back to the committee for a particular purpose —for the reinstatement of that particular clause. It can be accomplished in that way, and that, it seems to me, is the regular way to do it. We would never reach a conclusion if after taking a vote and striking out a clause it would be in order for some hon. gentleman to rise and ask to have it reinstated. We might go on in that way ad infinitum.

Hon. Mr. POWER—I direct the attention of the hon. gentleman to rule 65, which reads as follows:

65. A senator may, at any time before a Bill is passed, move for the reconsideration of any clause thereof, already passed.

Hon. Mr. LOUGHEED—That is quite consistent with the Chairman's ruling.

Hon. Mr. POWER—This rule is based on May, and we have always exercised that right, and I think the Chairman has been in error.

Hon. Mr. POIRIER—That applies to the Senate, but will it apply to the committee?

Hon. Mr. POWER—Yes. It says reconsideration is allowed at any time before a Bill is passed. It would be exceedingly inconvenient if we could not reconsider it.

Hon. Mr. GIRRIOR—The clause has been struck out.

Hon. Mr. POWER—But whether it is passed or rejected it becomes the same thing.

Hon. Mr. GIRRIOR—But this clause has not yet been passed.

Hon. Mr. CASGRAIN—It has been passed upon.

Hon. Mr. DANDURAND—We need not wrangle over this point. The suggestion made by the leader of the Government offers an easy solution. We can always move to recommit and reconsider that clause.

Hon. Mr. GIRRIOR—The hon. gentleman quoted rule 65 in support of his contention that we can reconsider this clause. I say that that rule does not apply to a case of this kind. It applies to a case where the clause of a Bill has been passed, and it is desired to reconsider that clause and amend it. It cannot possibly apply to this case, because in this instance the clause was eliminated.

Hon. Mr. BELCOURT—I think we have not the right to reconsider at this stage, because the committee has already pronounced upon this clause and given a decision, and if the clause can be reconsidered at this stage, we could take up clause 3, strike it out and reconsider it, and could go on indefinitely until doomsday. We cannot do that. The proper course for my hon. friend is, at the next stage of the Bill, to move that this clause be added as a clause of the Bill.

Hon. Mr. WATSON—I know that we have pursued this policy in the past. On several occasions where clauses have been struck out in a thin House, we have reconsidered and replaced them in the Bill the following day. I recall three or four such occasions at the present time, and it seems to me it is a most convenient way of dealing with the matter. If clause 2 is to form part of this Bill, it is in people's mind that an amendment was suggested, because this is a case where you are going to cancel the license. If that clause is going to be made part of the Bill it will not affect the person's ideas of the following clause.

Hon. Mr. POWER—At page 305 May says:

In passing Bills, a greater freedom is admitted in proposing questions, as the object of different stages is to afford the opportunity of reconsideration; and an entire Bill may be regarded as one question, which is not decided until it has passed. Upon this principle, it is laid down by Hatsell, and is constantly exemplified, "that in every stage of a Bill, every part of the Bill is open to amendment, either for insertion or omission, whether the same amendment has been, in a former stage, accepted or rejected.

Hon. Mr. BELCOURT—That is at a former stage.

On clause 4:

Hon. Mr. POWER—I took the liberty of saying last night that certain portions, at any rate, of this measure rather suggested Prussian methods; I think this clause 4 is a good sample of what you might call Prussian frightfulness. It is intended to scare people into refraining from violating the law by threatening them with deprivation of the right which belongs to every British subject practically, and to say that if a brewer in Montreal shipped beer to a person resident in Calgary, and that resident in Calgary afterwards transfers that beer to somebody else who sells it, you

hold that the brewer who shipped from Montreal in good faith must go to Calgary and prove before the magistrate there that he shipped in good faith and did not know that the person to whom the beer was consigned proposed to dispose of it improperly. How is the ordinary man to prove that he did not know something of the intention of the purchaser, particularly if he is in the hands of a comparatively ignorant magistrate, and in the presence of a prejudiced court?

Hon. Mr. ROSS (Middleton)—I had intended, and I think it would be useful to some hon. gentlemen, when we come to the 5th clause, to refer to the Summary Convictions Act, under which the fines imposed by this measure will be collected. You will find the law under part 15, Criminal Code, where the clause fixing the penalties provides for the imposition of the fine by two judges. Then we can have two judges. Where there is no number of justices specified, then one Justice of the Peace, having jurisdiction in the place where the offence is committed, may try the case. There is nothing in this Act specifying how many justices of the peace shall have jurisdiction to try the offences. Therefore, under our law as it stands, one justice of the peace will have power to impose these penalties. Then, in addition to that, under another clause of the Bill a justice of the peace, at Peace River, or Cariboo, or at Inverness, C.B., can issue, not a summons, but a warrant against a man at the other end of the Dominion, and can have the man transferred right across the continent.

Hon. Mr. LOUGHEED—You are discussing clause 5.

Hon. Mr. ROSS (Middleton)—The law as it stands really bears upon clauses 3, 4, and 5, but clause 5 particularly, and then under another clause of the Summary Convictions Act, parts 13 and 14 of the Act which deal with indictable offences is made applicable, which enables the magistrate to issue his warrant in the first instance, not a summons on default.

Hon. Mr. DANIEL—What is the difference between a warrant and a summons?

Hon. Mr. ROSS (Middleton)—A summons is a paper served on a man asking him to appear, and when a warrant is issued the constable takes the man along with him—arrests him. The way the Bill stands clause 1 is one of the finest pieces of machinery for blackmail that ever came before a legislature. Any irresponsible man, in any corner of the Dominion, can go before a justice of the peace, lay a complaint, get a warrant and take a man, as I say, from one side of the continent to the other. He may be found innocent and discharged, or convicted. Supposing he is found innocent, then he is discharged, to find his way back across the continent the best he can.

Hon. Mr. DOMVILLE—Who pays the bill?

Hon. Mr. ROSS—He would have to walk home.

Hon. Mr. BELCOURT—The hon. gentleman is discussing clause 5.

Hon. Mr. ROSS—Of course that applies to 5. Then coming to clause 4, that is worse even than the hon. gentleman from Halifax pointed out in the remarks he made. The way to test the clause is by taking suppositious cases. Supposing a man from Vancouver goes into a Montreal liquor store and says he wants to buy whisky. The merchant says where do you come from? and the gentleman replies: "From Vancouver." The merchant says, "What is the law there?" and the man says, "We have a license law and you can sell liquor between 8 in the morning and 10 at night." He sells this liquor to the man who takes it out to Vancouver. The Vancouver man keeps his place of business open after ten o'clock at night and sells the whisky he bought in Montreal. Under this Act the man in Montreal could be taken out to Vancouver, and the magistrate would say to him, "You are guilty, unless you can prove that you had good reasons for believing that the intoxicating liquor would only be dealt with in a lawful manner." You are asking him to prove a negative, which it is utterly impossible for him to do. I feel more strongly on clause 4 than I did the last time it was before us, and I should be very glad to see it struck out of the Bill entirely. There is no reason why this Bill should be an exception to all other legislation. You make it impose heavy penalties under clause 1, and then let the law take its course.

Hon. Mr. POWER—I move that clause 1 be stricken out.

Hon. Mr. LOUGHEED—As I have introduced the Bill with this clause in it, perhaps it would be an opportune time for me to say something explanatory thereof and in justification of the clause. My two

hon. friends from Halifax have been really startled at the insertion of this clause in the Bill, and are particularly startled that they are living under Prussian methods. The hon. gentleman from Halifax has been for a great number of years the senior member of this Chamber, and has been a party to legislation of this character session after session, and this is the first protest I have heard from him against the principle of this particular clause. Let me refer to similar clauses in other Acts, Acts particularly of this character. In the Canada Temperance Act, which has been on the statute-book for a great number of years, which has been looked upon as a model of legislation in this direction, and which invariably has received the support of hon. gentlemen in this House, as well as of the whole Parliament of Canada, we find a very similar clause to this. The same principle embodied in the Canada Temperance legislation, section 124, has been upon the statute-book for a generation. The provision is as follows:

In any prosecution against a producer distiller, brewer, manufacturer, merchant or trader for any violation of this part, it shall lie upon the defendant to furnish satisfactory evidence of having good reason for believing that such liquor should be forthwith removed beyond the limit of the county or city or any adjoining county or city in which this part is then in force, for consumption outside of the same.

That is precisely the principle in fact that we are now considering. If you look back to clause one of the Bill that we have passed it will be seen that the gist of the offence is in importing liquor from a non-prohibition province, into a prohibition province, in violation of the statutes of that particular province. If a man ships liquor say from the province of Quebec into the province of Ontario, which in the near future will become a prohibition province, the onus of proof is upon him to show that he has shipped that liquor within the provisions of the Act whereby liquor may be shipped into the province of Ontario. Now let me instance another Act. Under chapter 48 of the Statutes of Canada, section 264, which is known as the Customs Act, hon. gentlemen will find precisely the same principle embodied in the law and reading as follows:

The burden of proof that the proper duties payable with respect to any goods have been paid and that all the requirements of this Act with regard to the entry of any goods have been complied with and fulfilled, shall in all cases lie upon the person whose duty it was to comply with and fulfil the same.

That is to say, if any of you hon. gentlemen have upon you a suit of clothes made outside the Dominion of Canada, the customs authorities can tap you upon the shoulder and say, "The burden of proof is upon you to show that you have paid duty on importing that suit of clothes into Canada."

Hon. Mr. CASGRAIN—Yes, but they will sue you in your own place.

Hon. Mr. LOUGHEED—I am not talking about that. Will hon. gentleman refrain for a moment from considering the provisions of clause 5? That is only beclouding the issue. Clause 5 of the Bill deals with an entirely different subject and we can discuss clause 5 and deal with it entirely independent of clause 4. They are in no sense coupled. My hon. friend from Halifax only pointed to clause 5 to show that it quite as arbitrary, if not more arbitrary offences specified in clause 5, it would operate as a hardship; but that has nothing to do with the principle of evidence that is invoked in clause 4. Now the Customs Act makes provision for that, and makes it quite as arbitrary, if not more arbitrary than the clause which we are now considering. Now will hon. gentlemen look at another Act in which the same principle is to be found? I refer to the Inland Revenue Act, chapter 51, section 127, which reads as follows:

The burden of proof that the duties on excise have been paid and all the other requirements of this Act complied with as regards any article of any kind subject to duty under this Act shall lie upon the person in whose possession the goods or articles liable to duty may at any time have been before such duties were proved to have been paid or whose duty it was to have paid such duties and to comply with such requirements.

If any hon. gentleman has liquor, cigars, tobacco or anything of that kind in his possession, any articles coming within the Inland Revenue Act, the authorities can sweep down upon him at any time and say, "The burden of proof is upon you to show that you have paid the duties within the Inland Revenue Act." Now this, I might say, is a principle of evidence which applies to all goods of this character; and yet at the same time, although these Acts to which I have alluded have practically, with the exception of the Canada Temperance Act, been in operation in Canada since Confederation, yet we have never been conscious of the fact that we were living under any Prussian despotism such as my hon. friends have pointed out. That prin-

ciple of evidence is necessary for the proper carrying out of the Act, and I think I am justified in saying that no hon. gentleman can point to any particular case in which a hardship has been brought about through this principle of evidence being embodied in an Act, or through its being invoked by the proper authorities. This Act which we are now considering is of the same class of legislation as the Acts to which I have already referred, and I submit with every confidence that this principle of evidence should enter into the provisions made for the proper carrying out of the Act.

Hon. Mr. ROSS (Middleton)—Those hon. gentlemen who were here the other day when this clause was under discussion will remember that I referred to the Inland Revenue Act and pointed out that there was one section in that Act which provided that a defendant should be called upon to exculpate himself. I also pointed out why that could not be considered as being unfair, on account of the marks that the Inland Revenue Department put upon the goods that pass through the hands of the officers. There is no hardship in that case, nor is there any hardship in the other cases to which the hon. leader of the Government has referred where a man has goods in his possession on which he claims to have paid the customs duty; it is the easiest thing in the world for him to produce his cheque book and show that evidence.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. ROSS (Middleton)—But the citation of those Acts is really no justification for what we say is a serious injustice in this Bill. My complaint yesterday, and today, is not that a man may be called upon to prove his innocence, but that this section calls upon him to prove something that he has no means of knowing anything about. Take the specific case which I gave you, of a merchant who sold liquor to a man with a license in Vancouver, and the man sold out of hours and violated the law. By what process of imagination can you conceive that the man in Montreal should know anything about what that man would do with the liquor after he got it in Vancouver? One other thing I wish to say is that under the Inland Revenue Act, although there are hundreds of offences, it is a very significant fact that there is only just one that I could find as to which a man charged with that offence must establish his innocence. I would not warrant that there may not be another, but I do not think there is, although I went over the whole Act.

Hon. Sir MACKENZIE BOWELL—Suppose that under this clause a man were accused of selling liquor improperly, and he made affidavit that he had reason to believe that he was selling it for legal purposes, would not that be evidence?

Hon. Mr. ROSS (Middleton)—Not under the wording of the Act.

Hon. Sir MACKENZIE BOWELL—I read the Act and considered it from the same standpoint as my hon. friend and the question arose in my mind whether a man accused of having illegally sold liquor, could possibly, in many cases, furnish any evidence but his own declaration. The case in Vancouver to which my hon. friend refers, if he made solemn declaration that he sold that liquor for lawful purposes, it seems to me that should be sufficient evidence. I cannot understand what other evidence he could possibly give. There is another case to which my hon. friend calls attention; that is that an ignorant magistrate might punish a man improperly. I do not know how it is in the other Provinces, but in Ontario a man accused of a crime must be tried before a police magistrate, or a stipendary magistrate, who has the power individually to convict or send that man to jail. If an ordinary magistrate hears a case and convicts a man, it is an illegal conviction, consequently the man is released. I may as well make a free confession that a great number of years ago, when the police magistrate of our city was absent, a boy committed many depredations and his poor mother complained very bitterly because he was not punished. Unfortunately for me, although I had been a magistrate for thirty or forty years, I took the case in hand and sent the young rascal to a reformatory. I subsequently ascertained that I had committed an illegal act, as the sentence was one which could only be imposed by a stipendary, or police magistrate. In the province of Ontario such magistrates would not, I am sure, be guilty of that which has been attributed to ignorant and illiterate magistrates.

Hon. Mr. DOMVILLE—I do not understand this Bill, but I ought to know something about it and be able to explain it to the people I represent. Suppose a ship arrives at Prince Edward Island from England, bringing over liquor, can the authorities break into a man's house and take

it out? The people want to know the scope of this law. Does it mean that we guarantee anything that the local legislature chooses to pass?

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. DOMVILLE—Anything they choose?

Hon. Sir MACKENZIE BOWELL—Yes, anything they like.

Hon. Mr. DOMVILLE—Is that good law?

Hon Sir MACKENZIE BOWELL—Edward Blake said so.

Hon. Mr. DOMVILLE—Edward Blake is dead, and I do not know anything about that. I only want the common sense of this Bill, and we ought to know and be able to talk intelligently to those who ask what is the meaning of the Bill. I do not seem to understand it. Do you want to mean that we are changing the venue from Prince Edward Island to St. John? They drink just as much there as the islanders do, but they do not howl so much about it. I should like to ask my hon. friend if a steamship comes from England carrying liquor and the goods belong, we will say, to myself, am I liable to have my house broken into to know whether I have a legal right to that liquor or not? Can any magistrate around blackmail me as he says? Or if the magistrates are not intelligent——

Hon. Mr. MURPHY—It depends upon how much you get at a time.

Hon. Mr. DOMVILLE—I ask my hon. friend the leader of the Government to explain to me what becomes of that liquor, if it is shipped bona fide from England to a consignee in St. John.

Hon. Mr. LOUGHEED—It depends upon who gets hold of it, I should think.

Hon. Mr. DOMVILLE—Then are we going to get it out by writ of replevin, take it out of the warehouse?

Hon. Mr. LOUGHEED—We are not discussing that question.

Hon. Mr. DOMVILLE—The Bill covers that, does it not?

Hon. Mr. LOUGHEED—Yes, but we are not discussing clause 4.

Hon. Mr. DOMVILLE—I want to know when that liquor comes to St. John, consigned or purchased otherwise, can any informer get into my house and take that out to prove what I am doing with it?

Hon. Mr. LOUGHEED—I do not see anything about it here.

Hon. Mr. DOMVILLE—No, but it comes under criminal acts.

Hon. Mr. GIRROIR—It depends upon the provincial law.

Hon. Mr. DOMVILLE—That is just what I am getting at. If they pass any enormity, are we going to give the sign manual to anything they do?

Hon. Mr. MURPHY—Yes, they can stop you having it in your own house.

The CHAIRMAN—We are at clause 4.

Hon. Mr. DOMVILLE—But I want to know the limitation of this Bill. Everybody has a right to his opinion, and we have rights. Surely men of our age, and with our past records, have a right to some information so as to tell the people what we have been voting about. I am asking for information. Of course we should never be able to arrive at any conclusion, because there has been such a change of heart in the last year or two with hon. gentlemen around; but the country, having suddenly plunged into this order of reform, ought to know from the leaders of the Government what bearing it is going to have on the local Government. A Government may go out and be succeeded by another; there may be cranks there; there may be all sorts of influences brought to bear that I cannot judge of and we cannot consider; therefore I think that we should have some expression from the leader of the Government as to how far this is going to bear on the rights of individuals in every province.

Hon. Mr. BELCOURT—I am not at all convinced by the argument of the leader of the House that we should adopt this clause.

Hon. Mr. LOUGHEED—I am sorry for that.

Hon. Mr. BELCOURT—I propose to vote against it. The precedents quoted by him are all predicated on the supposition that a man is supposed to know the law. If I buy a suit of clothes, or a box of cigars imported, I know that duty has to be paid on them. I am obliged to know the Dominion law; but according to this clause 4, a person would have to know every detail of every law in every province of Canada.

Hon. Mr. DOMVILLE—Hear, hear.

Hon. Mr. BELCOURT—A man in Montreal, if asked to sell cases of liquor to a man in Vancouver, would be obliged, in order to be relieved of the penalties imposed by the Act, to say that he had good reason to believe that this liquor would only be dealt with in a lawful manner. Now suppose that I am a merchant in the city of Montreal and that some man from Vancouver comes to me and wants to buy liquor, that presupposes that I must know every detail of the law of British Columbia and that under the law of British Columbia there must be a lawful use for that liquor; and if I have not a lawyer who can advise me properly about the law of British Columbia, or Alberta, or Saskatchewan, and the whole of the nine provinces, I must be very guarded: I am dealing with a high explosive. This clause is absurd, to my mind; I have never seen anything more absurd. An hon. gentleman near me suggests that the merchant who sells the liquor must be quite sure that the man who comes to him and tells him he is going to make a lawful use of it, is a man who is to be believed.

Hon. Mr. CASGRAIN—The man would have to be a mind-reader to know what the fellow was going to do with the liquor he purchased.

Hon. Mr. BEAUBIEN—There is no doubt that the foundation of our criminal law is that the accused is supposed to be innocent until he is proven guilty, and there is no doubt there are exceptions to that rule where the presumptions are against the accused. There is no doubt that in the case of a receiver of stolen goods it is fair that the presumption should be reversed, and no hardship would be worked upon the accused. Why? He has the goods. The judge asks him, "Where did you get them," and it is for him to say where he got them.

In any prosecution against a producer, distiller, brewer, manufacturer, merchant or trader, for any violation of this part it shall lie upon the defendant to furnish satisfactory evidence of having good reason for believing that such liquor would be forthwith removed beyond the limit of the county or city or any adjoining county or city in which this part is then in force for consumption outside the same.

But that is not at all the case we are considering. If a man has liquor in a prohibition district, he has to establish that that liquor is going to be sold outside the bounds of that district. But that is not the case here. What is really the case?

Hon. Mr. DOMVILLE.

Take a wholesale house in Montreal that receives three or four or five hundred orders for liquor every day; how can they safely proceed with their business which is recognized as a respectable trade, licensed by the country? The trade is only in part prohibited in the province of Ontario, where individuals who can afford to send their money outside the boundaries of the province can get all the liquor they want, but for the poor people, those who cannot afford to do that, it is a prohibited trade. In the province of Quebec this trade is a legitimate one. In Ontario it is a legitimate one within certain limits. That is to say, you have a right to sell to any individual in Ontario. Now what does this Bill say? To the honest man that deals in liquor in the province of Quebec this law says that from the very moment he accepts an order coming from Ontario he is a criminal. He must not only be ready to go to Ontario but even away out to the West, prepared to give his own evidence. To my mind that is absolutely unfair. He has to be prepared to bring his proof along with him to establish that he had good reason to believe that he was not violating the law.

Hon. Mr. CLORAN—How can he know it?

Hon. Mr. BEAUBIEN—How can he know it? It means that no man that respects himself will want to be branded as a criminal and they will get out of the business. They will do no trade in Ontario, or with any province that has a prohibition law, so long as that law remains on the statute-book, because they do not want to be under the presumption that they are criminals. You will only have people in the trade that can afford to pose as criminals, and be brought away from their homes, and can afford to swear anything at any time. Is that desirable? Will this law help the morals of this country? If you are going to eliminate alcohol from everything you eat and drink, there will be very little left. It is a question of quantity, and you cannot improve the situation by enacting drastic laws that will drive away honest and honourable men from a trade that has made very many big people what they are to-day, and are still.

Hon. Mr. CLORAN—Right in the Senate.

Hon. Mr. BEAUBIEN—You are going to drive from the trade every respectable man, and put in his place a man who has no reputation to lose. I want to register a protest against such legislation. There is no

criminal or penal law that I know of which places the presumption of guilt on the accused where it is not possible for the accused easily to exculpate himself. This is one, and I challenge any man who knows anything about the manner in which this trade is done to contradict me on that score. The only way that his trade can be legitimately done is to have every order, whether for one bottle or a dozen bottles or a dozen cases, accompanied by a sworn declaration, and then the vendor would have to know that the declaration has actually been signed by the man, or that the signature to the declaration was that of the Justice of Peace or other officer, so that he could say at any time, "There, with the order I have received the proof. I am going to file that proof with my order, and I won't take the chance of being liable on every small order to pay my expenses from here to Vancouver or Halifax, and take my lawyer along just to prove that I am not guilty of wrongdoing in filling an order." It is absolutely unreasonable, and the Bill is not workable.

Hon. Mr. CASGRAIN—I understood the hon. gentleman to say that a man could legitimately sell liquor in Ontario.

Hon. Mr. BEAUBIEN—Yes, I understand that is the case.

Hon. Mr. CASGRAIN—How is he going to do it if there is prohibition in Ontario? Who is going to have the license?

Hon. Mr. BEAUBIEN—It is a legitimate thing, I understand, under the prohibition law of Ontario to sell to individuals. If a private citizen sends an order to Montreal, it can be filled and sent to the province of Ontario.

Hon. Mr. DOMVILLE—What does he know about Ontario? I agree with every word the hon. gentleman says, but that is not before us now. We are asked to legislate about something we know nothing about.

Hon. Mr. POWER—I think that this question is of sufficient importance to be discussed at some length. With respect to the two points made by the hon. leader of the Government, I wish to say a few words. He said we had a precedent for the provisions of this clause in the Inland Revenue Act and in the Customs Act.

Hon. Mr. LOUGHEED—And the Canada Temperance Act.

Hon. Mr. POWER—As the hon. members from Middleton (Hon. Mr. Ross) and Montarville (Hon. Mr. Beaubien) pointed out, these cases are not similar to this case. The importer of goods who goes to the customs house pays his money and gets a receipt if he wishes it. He has his check and the invoice, and can establish his innocence without trouble. But under the operation of this Bill, if it becomes law, the dealer in Montreal who ships goods to British Columbia has not such evidence to furnish. The hon. gentleman referred to the Canada Temperance Act, and I think he intimated that I had supported that measure. That reminds me of a thing that happened a great many years ago, before any other senator now present was a member of the Senate. When the Canada Temperance Act was going through the Senate I was a very junior member. I had been recently appointed to the Senate and was naturally disinclined to do anything unfriendly to the Government which had recently appointed me. I remember that when this Canada Temperance Act was under consideration there were a great many things in it that I did not like. However, I sat there and let them go, but there was one clause—and I think that is the very clause to which the hon. gentleman has referred, resembling the one in the Bill before us—that I could not really swallow. Not wishing to vote against the Government, I got up and left the chamber. I took to the woods. So that I do not think I can be very strongly criticised for the view I take of this matter now: but there is one point that I do not think sufficient stress has been laid upon. In the case of this Bill, the brewer, or distiller, or wholesale dealer in Montreal is not in the position of a man who gets his goods through the customs, or through the Inland Revenue office. The brewer or dealer in Montreal is in the position of the exporter in Great Britain. When goods go through the customs house, can you tackle the dealer or the exporter in Great Britain and compel him to prove that he knew that those goods had not been smuggled into Canada? Everyone can see that that is not the case.

Hon. Mr. ROSS (Middleton)—In reply to the hon. gentleman from Belleville, I may say that he does not distinguish between believing and proving you have good reason for the belief. If the clause simply said that the dealer would have to swear that he believed the liquor would not be used

for illegal purposes, I do not think I would quarrel with it, but that is not what the clause provides. He has to prove, and unless he proves he has good reason for believing, an ignorant country magistrate is going to sit upon those reasons and say whether they are good or not and justify the belief. What is good reason for one man is poor reason for another man.

Hon. Mr. LOUGHEED—Eliminating for the moment the Customs Act and the Inland Revenue Act from our consideration of this clause, we have a similar provision in the Canada Temperance Act which has been in operation since it was placed upon the statute-book. It would be inconsistent for us to say that this clause must operate to the detriment of the shipper under Bill No. 66, the one we are now considering, in view of the fact that we have had for a generation the same clause in the Canada Temperance Act in almost precisely the same language, and yet I challenge any hon. gentleman to point out to us this afternoon wherein that particular clause has caused injustice in the enforcement of the law. I cannot impress upon the House too strongly the fact that this law has been in operation in every province of Canada for a generation, and yet, at the same time we suddenly awaken, become startled at the possibility that injustice is being done when we incorporate this same clause in the Bill which we are now considering. Let us consider for a moment the position in which the shipper of liquor would be placed upon inquiry in reference to a contravention of the law. It is not an unreasonable thing to say that a liquor exporter in a non-prohibitory province should have some knowledge that prohibition is in force in Ontario, Manitoba and other provinces of Canada. That is not an unreasonable thing, and if he receives an order for the importation of liquor into a province which he knows to be a prohibitory province, or in part prohibitory, it is not out of the way to insist that there should be a proper representation made by him as to the use to which that liquor is to be applied, and that is the proof that is required under the Bill. If the importer can say to the shipper "The liquor which I am ordering from you is within our Act; I am permitted to bring that liquor into the province," and if it comes within that provision, the shipper is exempt from the provision of the Act. I think that is not unreasonable and that is the only way in which it can be done.

Hon. Mr. BELCOURT—Does the hon. gentleman think that the mere statement of the purchaser would be sufficient evidence upon which the judge could determine the case?

Hon. Mr. LOUGHEED—Yes. I must say unhesitatingly that if the statement made to the shipper was believed, that is the proof the Act has in view.

Hon. Mr. BELCOURT—Without any inquiry as to the character of the person making that report?

Hon. Mr. LOUGHEED—What more inquiry can be made? He has the report made to him that this liquor is to be used for a particular purpose—

Hon. Mr. BELCOURT—By a person he does not know from Adam. He may come from Vancouver.

Hon. Mr. LOUGHEED—It is assumed that he orders liquor from a liquor dealer who knows him.

Hon. Mr. BELCOURT—He tells him, "In my province it is prohibitory, but only in a certain way, and it is part prohibition" —would that be sufficient?

Hon. Mr. LOUGHEED—If the shipper says he believes that is the case, then he is within the Act.

Hon. Mr. MURPHY—It is the practice of the wholesalers in every country and in every province in this country to find out when a man sends in an order to the house whether he is capable of paying for it. He has his commercial agencies for finding that out, and he can easily find out if his customer is a reputable man and is going to use the liquor for a proper object. It is obvious to anybody that the agencies are as open to him to find out if this liquor is to be used for a legitimate purpose in the province to which he sends it, as they are to find out that the man is able to pay for the liquor. It is just as easy for him to find out whether he is selling to a man of straw as to find out whether he is selling it to a man who is going to use it illegally. In this day of commercial agencies, we can find out easily what the liquor is going to be used for.

Hon. Mr. DAVIS—If my hon. friend knows about the country magistrates—

Hon. Mr. MURPHY—I know all about them.

Hon. Mr. DAVIS—Does the hon. gentleman think it would be right to place this power in the hands of some magistrate?

Hon. Mr. WATSON—Take the case of the magistrate who convicted the cow.

Hon. Mr. DAVIS—We have in our province a law which provides that any respectable citizen can get liquor for his own use. We have the same law in Alberta. I think you can get over this a good deal easier than that. If Saskatchewan passes a law which prohibits the sale of liquor within the boundary of that province in any shape or form, but allows the ordinary man to have whatever liquor he wants for his own consumption, then the Attorney General of the province could take that responsibility, and any respectable man who wanted a couple of gallons of whisky could apply to the Attorney General's Department and pay a small fee and get a permit. That permit could be sent to Montreal and would accompany the liquor back, and there would be no case for prosecution. That is very simple and could be carried out.

Hon. Mr. DOMVILLE—My hon. friend, who is a very reasonable man, says that a respectable man can get one or two or three gallons of liquor if he wants it. Now if that is so, what is the good of passing this Act? If they can all get the drink under some pretence, what is the object of passing the Bill?

Hon. Mr. CLORAN—I want to call the hon. leader of the Government to task as a criminal lawyer. He is a man of very high standing in the legal fraternity, and I admire him; but he advocates in this hon. House a doctrine which he would not dare to put before students if he were a professor in a university, and that is, to teach young lawyers that unless an accused man proves himself innocent he is guilty. That is a principle diametrically opposed to all British liberty and all British institutions, and nobody knows it better than the hon. leader of the Government himself. For its defense he quotes, " But, hon. gentlemen, the clause in this Bill has been in the Canada Temperance Act for the past 40 years." Now, as a professor of criminal law in a university, would he attempt to convince his students of the correctness of the law in that way? That clause in the Canada Temperance Act has proved ineffective; it is obsolete, and when the leader of the Government tells the country that the man who ships goods to a place three or five miles away must be aware of what it is going to be used for, I say he is putting a proposition to the country that cannot be entertained, and the leader of the Government cannot be serious in asking a merchant in Halifax to guarantee to the Government of Canada when he ships a cask of ale to somebody in the Yukon, or British Columbia, that it is not to be used for illegal purposes. What is the Government of Canada coming to? The idea of asking a shipper in Charlottetown, a prohibition town where they have all the liquor they want, or in Halifax, or other places, when shipping goods to any point in Canada, to guarantee to the people of this country that he sold it according to the law—

Hon. Mr. DOMVILLE—It might be shipped to order through a bank and thus be impossible to trace it.

Hon. Mr. MURPHY—You cannot do that now.

Hon. Mr. CLORAN—I say that the position created by the hon. leader of the Government is not one that is based on justice. He has a mission to perform; he is backing up a Government measure, but I am bold enough to say that if he were put in the chair of a university professor he would not dare undertake to give the same explanation to the students in his class as he is giving to this House. This clause No. 4 is one that undermines all principles of justice in this country as governed by the criminal laws of Great Britain and Ireland, which provide that the onus of guilt it not to be placed on the accused. This law is subversive of that principle. I deny the point raised by the leader of the Government, that the onus of proof should be on the accused, and I ask him to withdraw that clause.

The motion to strike out clause 4 was then put and carried on the following division: Yeas, 22; nays, 18.

On clause 5, "place of prosecution."

Hon. Mr. ROSS (Middleton)—This clause provides three places for trying the offence; first, the city to which the liquor is sent; second, the place from which the liquor is sent; and third, the place where the accused resides. Now it is perfectly clear that if liquor was sold in one of the eastern cities to a man in one of the western cities, he could be prosecuted. Say a man in Montreal sold to a man in Vancouver or in Peace River district, if a complaint is made

against him, a warrant may issue and he could be brought from the city of Montreal and, under provisions of the Summary Convictions Act, could be taken out there to be tried. Now I do not believe there is any fair-minded man in this country who would agree to any such law when there is no need of it. I think it is quite sufficient that a man violating the provisions of this Act should be prosecuted in the place where he commits the offence, or in the place where he resides.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. ROSS (Middleton)—I therefore move that all the words of the clause after the words "or in the city" in the fourth line be stricken out. The man can then be prosecuted in the place where he committed the offence or in the place where he resides.

Hon. Mr. BELCOURT—Why not leave it under the general rule of law—where the offence is committed—and strike out the clause?

Hon. Mr. POWER—I venture to think, with all deference to the hon. gentleman from Middleton, that the effect of his amendment, if made, would not be perhaps just what he expects, because in the case of the shipment from Montreal to Vancouver the only person whom you could prosecute would be the wholesale dealer or the brewer or distiller in Montreal. I think the better way is to strike out the clause altogether and let the general law have its operation.

Several hon. GENTLEMEN—Hear, hear.

The CHAIRMAN—Do you move that as an amendment?

Hon. Mr. POWER—No, I do not move it as an amendment.

Hon. Mr. CASGRAIN—I move that clause 5 be stricken out altogether.

Hon. Mr. ROSS (Middleton)—Then I withdraw my motion.

Hon. Mr. DANIEL—I should like to hear from the hon. gentleman who makes this proposition what would be the result on the Bill if clause 5 were stricken out.

Hon. Mr. CLORAN—It goes under common law.

Hon. Mr. CASGRAIN—It will fall under the general law.

Hon. Mr. DANIEL—Tell us what the general law is.

Hon. Mr. LOUGHEED—The trial would take place wherever an offence has been committed.

The motion to strike out clause 5 was then put and carried on the following division:—Yeas, 20; Nays, 16.

Hon. Mr. DOMVILLE—Why not drop the whole Bill now? It is no good.

Hon. Mr. LOUGHEED—No; I move the adoption of clause 6.

Clauses 6 and 7 were adopted.

On clause 8, "Prosecution by Minister of Justice."

Hon. Mr. ROSS (Middleton)—I move to strike this clause out. It was not in the Bill when it was introduced in the House of Commons. I do not know whether it was a friend or a foe of the Bill who introduced it. I do not believe it is possible of enforcement. It requires the Minister of Justice to try the case and then to order a prosecution afterwards.

Hon. Mr. CLORAN—You are right there.

Hon. Mr. CASGRAIN—There are lots of cases like that.

Hon. Mr. ROSS (Middleton)—Not at all. It says:

> He may if the evidence put before him be in his judgment sufficient, take such steps as may be deemed necessary to prosecute any person charged with such offence.

Hon. Mr. BELCOURT—Does my hon. friend understand that the word "evidence" there must be taken in a technical sense?

Hon. Mr. ROSS (Middleton)—I have given you the meaning of the proof.

Hon. Mr. BELCOURT—He may have a letter; a letter might be sufficient evidence, or any statement might be.

Hon. Mr. ROSS (Middleton)—Why does it not provide that if any person—

Hon. Mr. BELCOURT—It does not mean evidence in the technical sense.

Hon. Mr. DANDURAND—Does it not rather mean prima facie proof?

Hon. Mr. ROSS (Middleton)—Supposing it does mean prima facie proof, then see, apart from that, what power you put in the hands of the Minister of Justice for the time being.

Hon. Mr. CASGRAIN—It is like the Lord's Day Act; action is only taken at the instance of the Attorneys General of the various provinces.

Hon. Mr. ROSS (Middleton)—Then change it to that; there might be some sense in saying that no prosecutions should be commenced without an order from the Minister of Justice, and that he would make the order if the evidence put before him warranted it.

Hon. Mr. BELCOURT—Suppose this clause were not in the Act at all, and some reliable person went to the Minister of Justice and pointed out to him that the law was being violated in some sections, independent of this provision it would be his duty to see that a prosecution was taken, would it not? It would be his duty to do it.

Hon. Mr. ROSS (Middleton)—Probably what he would do is what he does now and has done ever since Confederation—refer the matter to the Provincial Attorney General.

Hon. Mr. BELCOURT—He could do that in this case.

Hon. Mr. ROSS (Middleton)—I do not see why you want to drag this thing in. Why not do with this what you do with clause 5, leave it to be administered in the way the ordinary criminal law is administered.

Hon. Mr. BELCOURT—It is a useless clause, but a harmless one.

Hon. Mr. MURPHY—Would it be in order to move that the whole Bill be stricken from the record? It seems to me a most extraordinary procedure that a few days ago we had the principle of this Bill adhered to by 35 to 5 of the members of this Senate, and to-day lawyers on both sides of the House go to work and emasculate the measure as it came from the House of Commons. It seems to me to be making a farce of the whole matter and to make a nullity of the convictions of the people.

Hon. Mr. ROSS (Middleton)—There is a motion to strike out clause 8, and I had in my hand, and should have mentioned it before when on my feet, a clause that I propose to move to be added to the Bill.

The CHAIRMAN—Are you moving it?

Hon. Mr. ROSS (Middleton)—Yes, but if I mention it now, clause 8 will stand in the way. As I said before, this Bill is very capable of being made a weapon in the hands of black-mailers, and I want this added to the Act:

No prosecution shall be commenced under this Act without the consent in writing of the Attorney General of the province in which the complaint is laid.

The CHAIRMAN—Do you want that in addition?

Hon. Mr. ROSS (Middleton)—I want to add that to the Bill after clause 8 goes out.

Hon. Mr. LOUGHEED—Let us deal with clause 8.

Hon. Mr. ROSS (Middleton)—We have to deal with clause 8 first; it is in the way of the one that I wish to add.

Hon. Mr. POWER—I regret to say that I cannot follow my hon. friend from Middleton this time. I think that if you were to provide that no prosecution should take place for offences against this Act unless with consent of the Attorney General of the province, or without his intervention, the law would be rendered almost nugatory.

Hon. Mr. THOMPSON—No good.

Hon. Mr. POWER—And the provision in the Bill now with respect to the interference by the Minister of Justice would be resorted to very rarely, and only in extreme cases, and I do not feel that it would be any serious harm, and I should prefer, speaking for myself, to see clause 8 pass.

Hon. Mr. GIRROIR—How can any one argue that discretion as to when a prosecution should be brought or not brought, or should be placed in the hands of the Minister of Justice rather than in the hands of the Attorney General for the province? We are passing an Act, the intention of which is to enable the provincial legislature, through its law which it has just passed, to prohibit the sale of liquor within that province; and some of us say now that instead of going to the Attorneys General of the provinces and asking for directions as to when the prosecution should be begun, we should step outside of the bounds of the province altogether and go to the Minister of Justice.

Hon. Mr. BELCOURT—No, it does not say that at all.

Hon. Mr. GIRROIR—It practically says that.

Hon. Mr. BELCOURT—Oh, no.

Hon. Mr. GIRROIR—There is provision here that when this evidence is brought before the Minister of Justice he must study it and decide whether in his judgment steps

can be taken to prosecute a person charged with an offence. What does that mean? If it means anything at all, it means that the discretion is left in the hands of the Minister of Justice as to when the prosecution could be started. If it does not mean that, it means nothing. If, as is contended, anybody can begin a prosecution without referring it to the Minister of Justice, then the clause is absolutely useless.

Hon. Mr. CASGRAIN—We all know that it is harmless.

Hon. Mr. GIRROIR—If it is harmless and useless it should not be there. We are not passing legislation for amusement. It is for a serious purpose, and if it is admitted on all hands to be useless it should be struck out. The point I was endeavouring to make was this: the contention of some hon. gentlemen is to the effect that instead of going to the Attorney General we should go to the Minister of Justice. I say if an application should be made to any person, it should be made to the Attorney General of the province. If we are going to let that clause stand we should strike out the words "Minister of Justice" and insert the words "Attorney General for the province," for the very good reason that the Attorney General will be naturally more directly interested in the application of the law, the enforcement of which this Bill is endeavouring to facilitate. I say the Attorney General for the province should be the person and not the Minister of Justice. Not only that, but he is in the province where the act is committed. He is on the ground. He is the head of the law officers who are engaged in the prosecution of the case. He is in closer touch not only with the facts of the case, but with the machinery which is dealing with the case under review.

Hon. Mr. DONNELLY—As I understand this clause, it is intended to provide for violations outside of the province. In that case how would the Attorney General of the province start the prosecution? It should be the Minister of Justice.

Hon. Mr. GIRROIR—It certainly must be in some province.

Hon. Mr. DANDURAND—Allow me to give my view as to the usefulness of this clause. The Minister of Justice is brought into this Bill in order that he may serve as a go-between where a province complains of the action of some citizen in another province. If some one in British Columbia has occasion to complain of some act committed by a merchant in the province of Quebec, for instance, the attention of the Minister of Justice will be drawn to the fact that a thousand miles away there is a merchant who persistently violates the law of British Columbia. I suppose that is the reason why this clause 8 has been enacted.

Hon. Mr. CASGRAIN—If the amendment of the hon. gentleman were adopted and the words "Attorney General" were substituted, it would be the Minister of Justice just the same.

Hon. Mr. CLORAN—This Bill is a Federal measure and let the Federal authority take care of it. When we pass a Bill we have no right to put the responsibility of the execution of that measure on any province or any provincial officer. It is up to the Dominion Government to enforce the law it passes. We pass a Bill here and we want to put it on the shoulders of the Attorneys-General throughout the several provinces. We cannot do it. The Attorney General of the province of Quebec would simply say to the Minister of Justice at Ottawa, "it is none of my business, enforce it." Hon. gentlemen ought to get on to that. I know I am right.

Hon. Mr. CASGRAIN—Take the Lords Day Bill.

Hon. Mr. DAVIS—That was subject to approval by the provinces.

Hon. Mr. CLORAN—Certainly I am right, but the hon. senators here do not seem to take any interest in the essence of the law. If a certain thing is proposed to them they all cry "Pass," that is not the way to discuss public matters, and get at the bottom of facts, and place them before the country as they ought to be placed. I hold that when the Federal power passes a law it has no jurisdiction to impose its obligations on anybody else. It is up to the Federal power to enforce that law. That is a fundamental principle of Parliamentary and constitutional law, and when I hear hon. gentlemen talk about Attorneys General and Registrars and all that kind of thing in regard to Federal law, they are completely beyond their depth. If you are going to have the clause in, have it in and provide that the enforcement of this law shall be under the Department of Justice at Ottawa and no place else.

Hon. Mr. GIRROIR—What about the Criminal Code? Is it not the Attorney

General who is at the head of all prosecutions under the Criminal Code passed by this Parliament?

Hon. Mr. CLORAN—All subject to the will of the provinces.

Hon. Mr. CASGRAIN—That is the Criminal Code.

Hon. Mr. CLORAN—Yes, every province is master and mistress of its own organization of Criminal courts, and all its procedure, in spite of the Federal Parliament. I am surprised at the hon. senator from Antigonish who, I understand, is a first-class lawyer, not knowing these facts, but I feel every day the more these things are discussed the less you know.

Hon. Mr. ROSS—I move that clause 8 be struck out.

Hon Mr. DANIEL—It appears to me that this clause might very well be left out of the Bill. In fact it seems rather difficult to understand. It says that when it is brought to the attention of the Minister of Justice that an offence against any of the provisions of this Act has been committed outside the boundaries of any province which has enacted legislation prohibiting or restricting the sale of intoxicating liquors, he may, if the evidence put before him be in his judgment sufficient, take such steps as may be deemed necessary to prosecute any person charged with such an offence. It is asking the people in one province to complain about the administration of the law in another province and putting it on the Minister of Justice to carry that complaint into effect. I do not think that one province should be encouraged to interfere with the administration of justice in any other province. I believe in provincial autonomy and provincial rights, and I think that the closer we stick to that and consider provincial autonomy and provincial rights as absolutely sacred to the provinces concerned, the better for this Parliament. There is a slight tendency in this Parliament to interfere occasionally with provincial matters and rights. It would be better, in the interest of unity if for nothing else, to strike out that clause altogether from the Bill. To my mind it is encouraging complaints by one province of the administration of the law in another province, and I do not think we should encourage anything of the kind. We are here to make laws—not laws which are as clear as mud, but laws which should be as clear as crystal. In case of a violation of the law, where is the offence to be prosecuted? Is it to be prosecuted where it begins or where it ends? Parliament is here to settle such questions, and not leave it to every Tom, Dick or Harry, or a major or judge, to settle that question. It is up to Parliament to make this law so clear that there will be no misapprehension as to its meaning.

Hon. Mr. DOMVILLE—It is up to the courts to interpret the law.

Hon. Mr. CLORAN—No, no law should be ever up to the courts to interpret. It should be made so clear and distinct that all the courts would have to do would be to apply the law. We make our laws so indistinct and so obscure that the power of Parliament is brought into the hands of the magistrate or judge. I say that is not fair to the people, and I ask under this measure, as under many other laws, where does the crime begin and where does it end? What is the judge going to say? You bring a case before a magistrate or a judge in Ottawa or Montreal, he would simply say, "Well, gentlemen, it began here, but I do not know where it ended," and he will dismiss the case. You go to Vancouver, and the judge there will say, "Well, the violation of the law started in Montreal, or Ottawa, and it ended here. I have no jurisdiction." Make it clear in your law here that a violation of the law is made in the shipment, or is made in the acceptance of the shipment. Make provision that violations of the law are to be prosecuted in one place and not two. Make the violation of the law in its inception by the shipper, irrespective of what the receiver at the other end of the line says, or make the violation of the law remain with the receiver of the goods. That is plain language and plain law, and the magistrates would have no difficulty in applying the law. I appeal to your good common sense. Hon. gentlemen are all anxious to pass a Government Bill in favour of prohibition, but in the name of the law get down to common sense and examine the Bill and put light into the Bill.

The committee divided on the motion to strike out clause 8, which was rejected by the following division:

Yeas, 16; nays, 17.

Hon. Mr. LOUGHEED—I wish to give notice of an amendment to the Bill. I will move:

That paragraph (c) of clause three be amended by inserting the words "or steamship" after the word "railway" in the second line thereof.

It should follow the word "railway," so as to harmonize with clause 1. Then, under the Criminal Code, it is necessary to insert a clause as to the distribution of funds, which will read as follows:

The Governor in Council may direct that any fines, penalties, or forfeitures or any portion thereof imposed under the provision of this Act be paid to any provisional, provincial, municipal, local authority or any other person wholly or in part bearing the expense of the prosecution under which such fines, penalties or forfeitures are imposed, or that the same be applied in any other manner be deemed best to attain the object of this Act and secure its due administration.

Hon. Mr. CLORAN—That the Governor shall give to the province or municipality the amount of the fine, and that the municipality or province shall be liable for the expenditure. Supposing the fine is $5 and the expense $500, what good is the fine to the province? I say the Federal Government is the father of this child, and why give to the province the right to collect the fine when they will have to pay, perhaps, $1,000 in costs. Supposing you take a shipper from Halifax and bring him to Vancouver, these costs have to be paid, and you are handing a lemon to the provinces. This amendment, coming in at this late hour, strikes me as being unfair and not acceptable.

Hon. Mr. DOMVILLE—Is the amendment accepted?

Hon. Mr. LOUGHEED—It is a notice of amendment, and will appear in the Minutes before we finally adopt it. By way of explanation, under section 1037 of the Criminal Code the Governor in Council can direct how fines, etc., which would otherwise belong to the Crown may be disposed of, but, under section 1036, as amended in 1909, where no other provision is made by any law of Canada, fines go to the provincial treasurer, except fines for breach of the revenue laws of Canada, fines for malfeasance of Canadian Government employees, or fines in prosecutions instituted by Canada in which Canada bears the cost of prosecution, so that this clause is necessary so that the Governor in Council may direct the payment of the fines, etc., to whoever is enforcing the Act. Therefore it is desirable to make this sufficiently elastic so that if municipalities or cities should carry on certain prosecutions they are reimbursed by reason of the application of the fines which will belong to them.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. LOUGHEED—There is no doubt about that. Where a municipality or province demands a prosecution the fines go to those enforcing the law.

Hon. Mr. CLORAN—Where the province or a municipality demands a prosecution the province or municipality should be liable for the expenses, but here is a case taken against a party in a province or municipality by the Federal Government, and the Federal Government loses its case or wins its case, and under this amendment it takes powers to throw all the expenses of that trial on the local authority.

Hon. Mr. CASGRAIN—No.

Hon. Mr. DANDURAND—No.

Hon. Mr. CLORAN—Yes, it does. I am here to see that laws are made clear and just. If the leader of the Government has not been wrong in his reading I say that he says the fines shall be given to the provinces or the municipalities, the municipalities and provinces to bear the expenses of the case; that is his reading.

Hon. Mr. CASGRAIN—No, he does not say that.

Hon. Mr. CLORAN—I heard it myself.

Hon. Mr. LOUGHEED—It will be printed and then you can look over it again.

Hon. Mr. CLORAN—Then you are not going to adopt it now?

Hon. Mr. LOUGHEED—I am moving the amendment which I have read to be added to the Bill as clause 9.

The motion was agreed to.

Hon. Mr. McSWEENEY, from the Committee, reported the Bill with several amendments.

Hon. Mr. WATSON moved that the report be not now received, but that it be referred back to the Committee of the Whole to insert clause 2.

Hon. Mr. DANDURAND—To reconsider clause 2.

Hon. Mr. WATSON—I prefer to have it the other way. I think the Bill is pretty well emasculated now, and it would be better to let it go back for some powers that

will assist the provinces to enforce their law. Parliament was asked to pass a law to assist the provinces to enforce their Prohibition Act, and I think we ought to send it back to the House of Commons with some of those powers in this Bill.

Hon. Mr. LOUGHEED: May I suggest to my hon. friend that I propose making a motion that the report be reconsidered to-morrow and when the reconsideration of the report comes up, my hon. friend can move his motion, of which he now can give notice.

Hon. Mr. WATSON—My motion was to report it back at once. I think we ought, some of us, to rectify at once the wrongs we have done.

The SPEAKER—The motion is to take the report into consideration to-morrow, and the hon. member (Hon. Mr. Watson) gives notice now that when the Bill comes up for consideration to-morrow he will move a reconsideration of clause 2.

Hon. Mr. SPROULE—This a public Bill; it does not require any notice at all. When it is up for consideration, it is quite in order for any member of the House to move that it be referred back and anything added, or any clause amended.

Hon. Mr. WATSON—I give notice that on the third reading of the Bill I shall move—

Hon. Mr. LOUGHEED—No, on consideration of the Bill.

Hon. Mr. WATSON—I think this afternoon's work demonstrates that the Senate is a slaughter-house, and I wish to ascertain whether members of the Senate are in accord with this legislation. I want a direct vote taken on the principle.

Hon. Mr. DANDURAND—The hon. gentleman need not move to refer back to the Committee of the Whole; he can move directly to further amend the Bill when the motion for concurrence comes up.

Hon. Mr. DOMVILLE—Strike out the preamble.

Hon. Mr. CLORAN—The hon. gentleman thinks there will be more brains in the Committee of the Whole than in the Senate.

Consideration of the Bill was postponed until to-morrow.

RAILWAY ACT AMENDMENT BILL.

REFERRED TO RAILWAY COMMITTEE.

On the Order of the day being called:

Consideration of the report of the Standing Committee on railways, telegraphs and harbours, to whom was referred Bill 87, "An Act to amend the Railway Act.

Hon. Mr. WATSON moved that the report be adopted.

Hon. Mr. DAVID—I move in amendment, seconded by the hon. member from Prince Albert:

That the report be not adopted, but that said Bill be recommitted to the Railway Committee with instructions to amend said Bill in such a way that the powers contained in subsection 3 of said Bill be exercised by the Railway Board before the petition to Parliament for the passing of a Bill authorizing the construction of the railway is presented.

He said: I do not think it necessary to say much in support of the amendment, as all the members of the Railway Committee are members of this House, and they know what took place in the committee and will understand why I move this amendment. I cannot report what took place in the Railway Committee, but without indiscretion I may say that there was a good deal of discussion, and that it is a question whether a certain motion was not carried, and whether the Bill is properly before this House.

The SPEAKER—I do not want to interrupt the hon. gentleman, but I wish to tell him that his liberty is larger than he thinks. He may report what took place in the committee after the committee has made its report.

Hon. Mr. DAVID—Yes, but I did not ask for the production of the Minutes of the Railway Committee, so that I am not perhaps in a position to say what I would if the Minutes were before this House. I think hon. gentlemen will understand my amendment when I show what would be the consequence of the adoption of clause 3, which says:

If the board deems that the construction of a railway upon the proposed location or upon any portion thereof is not in the public interest it shall refuse approval of the whole or of such portion; and in any case where the board deems it in the public interest it may, as to any portion of the proposed railway, make any order, or require the taking of any proceedings, provided for by subsections seven and eight of this section.

Note the word "shall"; there is an obligation imperative. It means, as was well

said by the hon. member for Grey, the hon. member for Prince Albert and the hon. member for Kamloops, that after a Bill has been brought before the Railway Committee of the House of Commons and discussed by the committee, passed by the House of Commons, sent to this House, referred to the Railway Committee of the Senate, discussed and adopted there, sent back to the Senate and passed by the Commons, then if this section 3 remains as it is, the Railway Board can nullify all the work which has been done by the House of Commons, by the Senate and by the Railway Committees of both Houses. I am asking myself whether it is constitutional, whether Parliament is prepared to deprive itself of its jurisdiction, and transfer its power to the Railway Board; whether the House has arrived at the place where it is willing to confer on a committee the power to pass final judgment. Nobody will say that the Parliament should do that. But what does it do? It gives power to the Railway Board to supersede the decision of Parliament. This clause subjects Parliament to the last decision of the Railway Board. I cannot understand how Parliament can pass such a law. Hon. gentlemen know that every time a Bill of this kind has been brought before us I have always opposed it, and those Bills were less dangerous than this Bill, which goes further in the way of depriving Parliament of its rights and powers.

Hon. Mr. THOMPSON—I would suggest that as there will be probably a lengthy discussion on this Bill, the hon. gentleman, might, with the consent of the House, adjourn the debate so that we might finish the balance of the business on the Order Paper.

Hon. Mr. LOUGHEED—Might I ask my hon. friend from Mille Iles what good purpose is to be served by a discussion of the policy at this moment? It is simply a matter now whether we shall deal with it in this Chamber or have it sent back to the committee. It seems to me that it reduces itself to that very narrow compass—whether we shall deal with it before the Committee of the Whole here or by the Railway Committee of the Senate; but my hon. friend is entering upon a lengthy discussion of the merits, which must necessarily be discussed.

Hon. Mr. DAVID—I would call the attention of the hon. leader of the House to the fact that if my amendment is adopted it will necessitate a redrafting of the Bill, because there are many clauses which would be in opposition to the amendment.

Hon. Mr. WATSON—If the leader of the House has no objection to adopting the hon. gentleman's motion there is no necessity of adopting it here.

Hon. Mr. LOUGHEED—I was going to suggest to my hon. friend that the report of the Standing Committee on Railways, Telegraphs and Harbours should be referred to a Committee of the Whole, and I would like to point out to hon. gentlemen this is a public Bill; that out of courtesy, when I was asked if I would send it to the Railway Committee I did so, but that there is no reason why it should go travelling between this Chamber and the Railway Committee all the time.

Several hon. MEMBERS—Hear, hear.

Hon. Mr. LOUGHEED—I am quite satisfied that the report should be taken up by the Committee of the Whole; that my hon. friend should have the greatest freedom in moving any amendments he may choose, and it will give all the members in the Committee of the Whole an opportunity of discussing it.

Hon. Mr. CASGRAIN—It is at my request that it went to the Railway Committee. At that time some railway companies had expressed a desire to be heard. None of them turned up. They had a full opportunity. They appeared to be perfectly satisfied, and I do not see that we could do better than have it put through that way.

Hon. Mr. DAVIS—My hon. friend asked to have it sent to the Railway Committee. I was not particular at the time whether it went to the committee or not. The hon. gentleman says the railway companies had sufficient time but they did not appear. They did not have very much time. It was referred to committee one afternoon, and it was the next morning, or the second morning after that it came up in committee. I have met some of the solicitors of the large companies, and they would like to have it sent back so that they could appear.

The SPEAKER—The hon. gentleman from Mille Iles moved that the Bill be referred to the Railway Committee. If he prefers to refer it to the Committee of the Whole House it is for him to decide.

Hon. Mr. DAVID—I am in the hands of the House.

Hon. Mr. WATSON—As Chairman of the Railway Committe, I am inclined to think that a motion was carried in the committee which would really wipe out clauses six and three which have been referred to by the hon. gentleman, and I thought from information received from some members of the House that there would be representatives of the railways before the committee to oppose the legislation. Now they were not here, and I was informed a day or two ago that if this matter were referred back both the Grand Trunk Railway and Canadian Pacific Railway would appear and give reasons why the Bill should be amended. I am inclined to think that if the matter is referred back to the Railway Committee we could have an intelligent discussion and have the reasons given by those people why the Bill should be amended. I understand the Canadian Pacific Railway solicitor who expected to be here, was not able to attend, on account of a death in the family. I think the Bill should be referred back to the Railway Committee.

Hon. Mr. SPROULE—I wish to say that the motion in my judgment is not correct in form. The motion gives compulsory instructions to the committee to do a certain thing and I do not think that is quite proper. That should be changed.

The SPEAKER—I think an instruction should be given to a committee where the committee has no power. If the committee has power no instructions are needed. You give instructions to a committee because a committee has no power of itself.

Hon. Mr. SPROULE—When it is referred to a committee they have all power. I am referring merely to the form that the instructions are couched in. The usual thing is that the committee has power to do it, not that they shall do it.

Hon. Mr. DANDURAND—If the motion goes as it is proposed, I intend to vote against it, because there is a direction there which I would oppose. I voted in favour of the Bill, and it has been reported to this House and the majority voted the same way, and I am still of the same opinion as in committee, and intend to stand by the report as it is. If it is simply a report for reconsideration it is of less importance.

Hon. Mr. DAVIS—As I am the seconder of this motion, I would ask the mover to have it referred back to the Railway Committee without any instructions.

Hon. Mr. DANIEL—The adoption of the resolution as put would necessitate the approval of the amendment by this Chamber. I do not think the Chamber is ready to vote on that, and if the matter is simply to refer the Bill back without any reference to the amendment of the hon. gentleman from Mille Iles, that would be a different thing.

The SPEAKER—The mover and the seconder agree to refer the amendment back without any instruction—simply to be reconsidered.

Hon. Mr. DONNELLY—I was present when this matter was under discussion. There was a very full attendance of the committee. The principal motion which the hon. gentleman put forward was voted on; and one on the same line, for the purpose of getting an expression of opinion from the committee, was moved by the Hon. Mr. Beique, and a vote taken on it.

Hon. Mr. DAVID—Was it carried?

Hon. Mr. DONNELLY—No, it was not carried.

Hon. Mr. CLORAN—The hon. gentleman cannot refer to the proceedings of a committee.

Hon. Mr. DONNELLY—It was 14 to 13 against Senator Beique's motion. It was fully discussed, and we had a vote on it. The Bill is all right as it is.

The SPEAKER—The motion is to refer the Bill back to the committee for reconsideration only.

The House divided on the motion, which was carried on the following division:

Yeas, 19; nays, 14.

A PROPOSED CONSTITUTIONAL AMENDMENT.

DROPPED.

On the Order of the Day being called:

Resuming the adjourned debate on the motion of the Honourable Mr. Cloran, seconded by the Honourable Mr. Domville:

That in the opinion of this Honourable House, it is desirable that the British Parliament of the United Kingdom of Great Britain and Ireland be asked to amend the British North America Act so as to provide that when the Senate of Canada rejects a Government Bill or Measure, during two consecutive session of the Canadian Parliament, the House of Commons of Canada, at the ensuing session thereafter shall have the power, de plein droit, to pass and adopt such Bill or Measure without further reference to the Senate of Canada.

Hon. Mr. DOMVILLE—I seconded this motion out of courtesy to the hon. gentle-

man from Victoria division. I certainly approve of the resolution, but if hon. gentlemen think it should be dropped I am content. I move that the motion be dropped.

The motion was agreed to.

ATLANTIC PARK ASSOCIATION BILL.

POSTPONED.

The Order of the Day being called:

Resuming the adjourned debate on the consideration of the amendments made by the Standing Committee on Miscellaneous Private Bills to Bill B2, An Act to incorporate the Atlantic Park Association.—Hon. Mr. Casgrain.

Hon. Mr. CASGRAIN—I move that the Order of the Day be discharged and placed on the Orders of the Day for to-morrow.

Hon. Mr. CLORAN—The debate on this Bill was commenced a few days ago. It is one of those ordinary Bills that are brought before Provincial and Federal Parliaments. There is nothing very extravagant about it. The company are allowed to acquire wharves, steamers and all that.

Hon. Mr. WATSON—And race-tracks.

Hon. Mr. CLORAN—They get that without a Bill. They require no authority for that, and why occasion should be taken to cast a slur upon the promoters of the Bill, I can not understand, especially when the attack is made by an hon. senator who is well known for his righteousness, for his manliness and spirit of fair-play. The promoters of this Bill have no intention to demoralize the province of Quebec either by building a wharf or running a horse race. It is quite as legitimate for the poor country farmer to have a horse race as the well-to-do jockey clubs in Hamilton, Toronto or Montreal and who have at their command millions of money and good stud farms. This Bill is simply for the benefit of people in these far-away districts—as far back as Restigouche. How many people in this House know where Restigouche is? It is simply to provide means of recreation for these people. I understand in regard to this matter that avalanches of abuse can be heaped on the promoters, on the ground that it is going to demoralize the entire population, that there is going to be gambling and betting. There is more gambling in our fashionable houses, bridge and poker, than at any race-course. I do not want to say anything against the hon. senator who strongly objected to this Bill. I am prepared to see it amended and emasculated as much as you want, but what I ask is that the people who are the promoters of this Bill, for whom it is intended, shall not be put down as men not equal to others in the community. They are the equals of others. That is all I ask.

The motion was agreed to.

SECOND READING.

Bill (N-2), An Act for the relief of Thomas Craig.—Hon. Mr. Derbyshire.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE.

Wednesday, May 10, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill No. 94, An Act to provide for the payment of Bounties on Zinc produced from Zinc Ores mined in Canada.—Hon. Mr. Lougheed.

Bill (N-2), An Act for the relief of William Thomas Craig.—Hon. Mr. Derbyshire.

PROVINCIAL PROHIBITION AID BILL.

CONSIDERATION OF AMENDMENTS.

Hon. Mr. LOUGHEED moved concurrence in the amendment made in Committee of the Whole to Bill No. 66, An Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors.

Hon. Mr. WATSON—I move that we do not concur in these amendments, but that the Bill be further amended by inserting what was clause 2 in the original Bill. It provides for the penalties to be imposed on brewers and distillers, which was struck out of the original Bill. It seems to me the House, in striking out that clause, could not have considered its full importance. No claim can be made that brewers and distillers in any one province are not familiar with the laws in any other province. From my knowledge of brewers and distillers, they have the best legal talent at their command, and are no doubt familiar with the laws of the other provinces. This is a measure to enable a province to carry out the wishes of the people, and I do not think the penalties could be made too severe on any person who may attempt to

violate those conditions. This matter was pretty well discussed and pretty well understood on a former occasion. It seems strange that after a Bill has been carefully considered by the House of Commons and sent up here, that practically a majority of the Government supporters vote against it.

Hon. Mr. POWER—I do not think the hon. gentleman has any right to reflect on the majority of the House.

Hon. Mr. WATSON—I have a right to express my opinion, because the opinion has been expressed in another place as to the direction which this House may have received from another House during this session—that on a measure called the Naval Bill this House was canvassed at the instance of the leader of the Opposition in the House of Commons, and it seems to me, from the vote given in the committee, that some hon. gentlemen have not confidence in the Minister of Justice, who considered it necessary to send this Bill up in the condition in which it reached us. My motion is to restore clause 2, which reads as follows:

2. In addition to any other penalties prescribed for a violation of section one of this Act, any person holding a license to carry on the business or trade of a distiller or brewer, issued under the provisions of the Inland Revenue Act, who violates the provisions of section one of this Act, or who sells or delivers intoxicating liquor in violation of the law in force in any province, shall also be liable in any prosecution under this Act, or under such provincial law, on conviction for a first offence, to the suspension of such license for any period not exceeding three months, and on conviction for a second offence, to the suspension of his license for any period not exceeding six months, and on conviction for a third offence, shall forfeit his license and shall thereafter be unable to hold such a license.

Hon. Mr. DANDURAND—I voted for the motion to strike out clause 2, because I felt that there was a danger of the clause working an injury to people, who might be condemned perhaps accidentally, or because of a divergence of opinion, or where there was conflicting evidence in some part of our country. Condemnation under such circumstances would entail considerable loss and dislocation in business by the suspension of a license. Feeling strongly in that direction, I voted for the striking out of the clause. Now we must not lose sight of the fact that this clause adds a penalty to other penalties that are imposed by clause 1. I have no objection that a further penalty should reach the violator of the law, who is clearly guilty and acts in such a way as to lead to the conviction that he has no respect for the law. I am not disposed to add a penalty after the first or second conviction, even when it would be questionable if the party should be visited with a much heavier penalty than the one imposed in the first clause. For that reason, I am ready to retrace my steps to a certain extent, but not to the extent of voting to restore clause 2 as moved by my hon. friend from Portage la Prairie. What I am disposed to do I shall embody in the amendment which I move, seconded by Hon. Mr. Bostock; it is:

That the lines 17, 18, 19 and 20 of that clause 2 be erased.

So that this clause 2 will be limited to suspending the license of the brewer or distiller convicted of having violated the law and condemned for violation of the law twice. On the third offence the brewer or distiller would lose his license present and thereafter. With this amendment to clause 2, this Chamber will maintain the principle of a severe penalty being imposed upon a violator of the law, when it is made clear that he has a complete disregard for the law. In virtue of clause 2, after the first conviction his business may be suspended for three months. Well, to suspend a country-wide business, such as that of a brewer or distiller, for three months is to force that business into bankruptcy. It is a dislocation, a paralysis of the business for three months. The penalty for a second offence, suspending the license, paralysing the business for six months, is of course increasing the risk of considerable loss. But I am ready to add the penalty of taking away the license when there have been two consecutive convictions registered against the offender; but we must not forget that sales take place by the hundreds in a month or a week, and that a man conducting his business in perfect good faith may be liable to be fined a thousand miles from his place of business; and on conviction by a justice of the peace, and the simple registration of that conviction, his business would be paralysed for three months. It seems to me that there is considerable danger of an injustice being done, and for that purpose I move this sub-amendment.

Hon. Mr. MURPHY—The only difference between the sub-amendment and the amendment is the fact that you do not wish a suspension of the license to take place until the third offence.

Hon. Mr. DANDURAND—Any further penalty than that provided for in clause 1.

Hon. Mr. MURPHY—I think the hon. gentleman from Portage la Prairie would be well advised if he accepted the sub-amendment.

Hon. Mr. DANDURAND—The penalties for the first and second offences set forth in the first clause, are—

"He shall be liable on summary conviction to a penalty for the first offence of not less than $100, and not exceeding $200, or imprisonment for a term not exceeding 2 months, with or without hard labour, and for a second offence to a penalty of not less than $200, and not exceeding $400."

I am not touching these penalties. The amendment is to restore clause 2. The sub-amendment is the insertion of clause 2, minus lines 17 to 20, and erasing the word "on" and the word "shall" in the 21st line and substituting the word "to."

Hon. Mr. WATSON—As far as I am personally concerned I would simply be guided by the hon. leader of the House who has charge of the Bill. If that is acceptable to him I accept it.

Hon. Mr. LOUGHEED—Clause 2 appealed to the wisdom of the Government and the House of Commons as a desirable provision. Apparently it does not appeal to the judgment of the majority of this House. Rather than have no provision for the cancellation of brewers' and distillers' licenses, I prefer the proposal made by my hon. friend. If the reinstatement of clause 2 does not carry, then I shall be very glad to see my hon. friend's amendment carried.

Hon. Mr. BOSTOCK—The amendment comes first.

Hon. Mr. DANDURAND—I quite realize that my hon. friend feels responsibility for a Government Bill, and it would be unjust to ask him his personal opinion, but my impression is that the sub-amendment I propose is a fair one.

Hon. Mr. LOUGHEED—Half a loaf is better than no bread.

Hon. Mr. POWER—The committee in its wisdom decided to strike out clause 2, and unless some very strong reason is given for reversing its decision I do not think the House should reinsert it. No reason that the hon. gentleman from Portage la Prairie, or the hon. gentleman from De Lorimier has given appeals to me as being particularly strong. If clause 1 of the Bill did not contain very stringent and, to my mind, sufficient penalties for violation of the law by the brewer or distiller, I should feel otherwise, but it seems to me that the penalties provided by clause 1 are quite sufficient for the case of the brewers and distillers as well as the retail dealers. It has been pointed out, and I notice the hon. gentleman from De Lorimier pointed out very clearly, how a brewer or a distiller in Montreal might be held responsible for some violation of the law by a party in Vancouver. I think every hon. gentleman must feel that that is quite wrong, quite unfair and unjust and I do not need to add anything more. The hon. gentleman from Middleton and the hon. gentleman from Montarville, and one or two other gentlemen yesterday pointed out how exceedingly unfair that legislation would be to the brewer and distiller, and I think that the House should not reinsert clause 2 or adopt the amendment.

Hon. Mr. WATSON—After the explanation of the leader I think we ought to restore the whole clause. I prefer the whole clause.

Hon. Mr. DANIEL—I voted for the exclusion of this clause when it was before us. The hon. gentleman from Portage la Prairie moves to reinsert it in the Bill, but he has given no reason whatever to the House why his motion should be adopted. The penalties in clause 1 ought to be sufficient to deter brewers and distillers from disobeying the law. Going back to these very severe penalties, is like going back to the medieval penalty of hanging for stealing. I believe it is a matter of truth—that in the city of St. John a great many years ago a boy was hanged for stealing a loaf of bread.

Hon. Mr. DOMVILLE—It was not in St. John. I should like the hon. gentleman to correct that. They never hanged a man there.

Hon. Mr. DANIEL—That is a tradition I have heard down there. I am only referring to that to show that in olden times the penalties attached to infractions of the law were very severe, and the extreme penalties did not have the effect of making people observe the law better, because the penalties were so extreme that convictions could not be had. In this case, the penalty of a distiller losing his license—and I may say we have no distillers in the province of New Brunswick—might amount to one hundred or two hundred thousand dollars. We might very well consider the injustice of such a penalty as that, considering the ease with which a brewer or distil-

ler might be convicted, even though he was unaware that he was violating the law. It has been brought out that under the operation of this law, a man in one province sending liquor to some other province has to be in a position to make it certain that he will know exactly what becomes of that liquor after it is sold. I do not see how he can do it. If he is accused of committing an offence, he can swear he did not know and did not believe that this liquor was to be used in an improper way. But I do not see that it is going to help him very much. Under certain circumstances, he might be convicted, and convicted before a magistrate, and so I would consider that the penalties in clause 1 are quite sufficient. But if, as I said before on another Bill, compromise is advisable, I would much prefer the sub-amendment of the hon. gentleman from De Lorimier to the reinsertion of the clause.

Hon. Mr. DOMVILLE—I cannot allow my hon. friend to take his seat without asking him to retract his statement that they hang people in St. John, from which place he comes. I did not hear him take it back; if he did so I have nothing further to say. My hon. friend, like myself, never takes a drink; therefore we ought both to vote for prohibition, unless somebody treats us. But I do not think the city of St. John will thank him for stating that they hang people there for stealing a loaf of bread. Under such conditions my hon. friend could call for everybody down there to be hanged. To-day they do not call it stealing, they call it taking advantage of their opportunities. This legislation would be all right for Prince Edward Island; they have tried prohibition for two years, but you can not keep them sober, and they should prevent liquor from going into that island.

The House divided on the sub-amendment, which was adopted on the following division: Contents 27, non-contents 11.

The motion to reinsert clause 2, as amended, was then agreed to.

Hon. Mr. LOUGHEED—I should like to see clause 4 of the Bill reinstated. As was pointed out yesterday, for the proper enforcement of this Act clause 4 is absolutely necessary. It has been found in all legislation of this character that the onus of proof must be upon the party alleged to have violated or contravened the Act.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. LOUGHEED—As I pointed out yesterday, we have legislation similar to this in the Canada Temperance Act, in the Customs Act, in the Inland Revenue Act, and in the Railway Act. It is not a new principle of evidence that has been introduced; it has been in operation more or less in many of our general statutes since Confederation, and, so far as I can learn, that operation has not proved an injustice to any person who has been charged with contravention of the law. It has been pointed out to me since yesterday that the elimination of this clause from the Bill would prove destructive to a proper or beneficial enforcement of the Act

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—Under those circumstances, I therefore feel justified in appealing to the House to support the principle of the Bill. The object of Parliament is to make the provincial legislation effective, and if we rob the Bill of the machinery which is calculated to make its enforcement successful, we might as well reject the whole Bill.

Hon. Mr. DOMVILLE—Hear, hear; reject it.

Hon. Mr. LOUGHEED—I therefore appeal to hon. gentlemen for the restoration of the clause.

Hon. Mr. BOSTOCK—I should like to ask my hon. friend if he proposes to make any motion in regard to clause 5 as well?

Hon. Mr. LOUGHEED—I had not intended doing so, because clause 5 is entirely separate from clause 4, and if clause 4 is given to us I shall accept the already expressed decision of the Chamber on clause 5.

Hon. Mr. MURPHY—I have just remembered that I was paired with the hon. senator from Montreal, Mr. Wilson, and I voted; I ask to have my name struck from the vote.

Hon. Mr. WATSON—There is no record.

Hon. Mr. CLORAN—I should like to ask the hon. minister in charge of this Bill what will be done in dealing with a case of this kind: A dealer in Halifax violates the law through somebody in Vancouver; the offence is committed in Vancouver; who is going to deliver the summons to the dealer in Halifax? Who is going to pay the fare and the expenses of the bailiff or high constable to go all the way from Vancouver to Halifax to deliver the summons? Who is going to pay the travelling expenses of that dealer? You cannot put

him in a cattle car, and suppose you did, you would have to pay for the cattle car. You have to treat him as a gentleman. Who is going to pay the expenses of that man? Who is going to pay the expenses of the witnesses to be brought from Halifax to Vancouver? Because the magistrate in Vancouver cannot make out a case without hearing both sides; he cannot deliver judgment. This law is an upheaval of all principles of criminal procedure. Now, these are fair questions put to the Government before they ask any intelligent body to endorse a measure of this kind. I am not attacking the principle of the Bill; I am attacking the methods whereby we enforce the principles. The question I am putting is a practical one, a fair one; is it the municipality where the violation of law is committed that is to pay all those expenses, or the province, or the Federal power? I think the Government ought to give this information before asking the Senate to stultify itself in this matter.

Hon. Mr. LOUGHEED—The question submitted by my hon. friend is a very fair one, and I shall be very glad to answer it. My hon. friend entirely misconceives the purport of this clause in the Bill. The offence alleged will take place at the point where the shipment is made, and the prosecution must there take place. In the case cited by my hon. friend, that of a shipper shipping liquor from Halifax to Vancouver—assuming there is a prohibition law in British Columbia—the prosecution would take place in Halifax; consequently a man is not removed from where he lives, he will be prosecuted where he lives, and there is no hardship in a case of that kind. It is only under clause 5, assuming that we had passed clause 5, that the alleged injustice would take place, and that clause has been stricken out.

Hon. Mr. CLORAN—Allow me to finish my question. You have dealt now with the dealer; the expenses will not be incurred from Halifax to Vancouver; the offence is in Halifax. The only people who can prove that offence are the people in Vancouver. Who is going to pay the bailiff and the attorney and everybody else to travel to Halifax and appear against the accused there?

Hon. Mr. MURPHY—The bailiffs and attorneys there.

Hon. Mr. CLORAN—But who is going to pay the expenses?

Hon. Mr. MURPHY—The local Government down there.

Hon. Mr. CLORAN—The law does not say so. Who is going to pay the expenses of bringing witnesses and prosecutors all the way from Winnipeg to Halifax to prosecute those who violate the law? I think the country is entitled to know that.

Hon. Mr. WATSON—I think the hon. gentleman will find his answer in clause 8.

Hon. Mr. MURPHY—Clause 8 is cut out.

Hon. Mr. THOMPSON—No, it is carried.

Hon. Mr. WATSON—It is not out. Read the record.

Hon. Mr. LOUGHEED—This record is wrong; clause 8 was stricken out yesterday.

Several hon. GENTLEMEN—No, no.

Hon. Mr. DANDURAND—I may inform my hon. friend that I have just asked the Clerk of the House, who tells me that clause 8 was carried and not stricken out.

Hon. Mr. POWER—Clause 8 was not stricken out, but I think the hon. leader of the Government is slightly in error when he says that the prosecution should take place at the point of shipment. Take the first clause:

> Any person is liable to the penalties set out who by himself, his clerk, servant or agent, and by any person who as clerk, servant or agent, officer or employee of any other person, or of any Government railway or steamship, whether Dominion or provincial,
>
> (a) Shall send, ship, take, bring or carry or cause to be sent, shipped, taken, brought or carried to or into any province from or out of any other province, or import—
>
> —or import into any province from any place outside of Canada any intoxicating liquor, knowing or intending that such intoxicating liquor will or shall be thereafter dealt with in violation of the law of the province into which such intoxicating liquor is sent, shipped, taken, brought, carried or imported as aforesaid;

The party who receives is punishable as well as the party who ships.

Hon. Mr. LOUGHEED—But he is not taken out of his province.

Hon. Mr. POWER—With respect to the speech made by the hon. gentleman in moving that clause 4 be reinstated I wish to call attention to the fact that everything that the hon. gentleman has said now he said yesterday, and it was repeated by different other speakers who took his view, so there is nothing new in it, and as was pointed out by two or three members of the House, the Customs Act and the other Act to which he referred did not deal with cases on all fours with this. We

are supposed to be a deliberative body; the Senate is supposed to be composed of men who know their own minds, and who do not readily change their minds. Now I think it would be a most extraordinary thing if, after deciding by quite a clear majority yesterday, to strike out a clause, we should to-day decide to put it back again.

Hon. Mr. LOUGHEED—It has already been done.

Hon. Sir MACKENZIE BOWELL—You have just committed that crime by amending and restoring as amended the other clause that had been struck out.

Hon. Mr. BEIQUE—I was not here yesterday, and therefore could not take part in the discussion on this Bill, but I must say I was surprised to find that clause 4 was stricken out of the Bill——

Hon. Mr. MURPHY—Hear, hear.

Hon. Mr. BEIQUE—when this House had unanimously or almost unanimously adopted the principle of the Bill.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BEIQUE—As was very properly stated by the hon. member who leads the Government in this House, in all legislation of this character it is absolutely necessary, from the nature of the legislation, that clause 4 be inserted; otherwise it is no use passing the law at all, because it could not be enforced. How could you expect anybody to prove (because the party accused would not be heard, being the accused), that the liquor had been shipped with the intention that it should be used in violation of the Act? It would be an impossibility altogether and therefore I appeal to this hon. body to be consistent. Whether they made a mistake or not yesterday, do not let them renew the mistake to-day.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BEIQUE—Let them be consistent with the vote they have given in favour of the principle of the Bill, and in doing so they will vote as they voted in supporting the principle in measures of the same kind. In the Temperance Act and in other Acts where, from the nature of the case, it is absolutely necessary that provision of that kind be inserted, it has not worked mischief to anybody, but has been the means of carrying out the law. In my humble judgment it would be foolish to adopt clause 1 if you omit clause 4.

The SPEAKER—I have no motion before me except the motion for consideration of these amendments.

Hon. Mr. LOUGHEED—I move to reinstate clause 4.

The SPEAKER—Is the main motion the consideration of the amendments?

Hon. Mr. LOUGHEED—Yes; it is an amendment to the motion for consideration.

The SPEAKER—The question before the House is the consideration of an amendment made by the Committee of the Whole to Bill No. 66, An Act in aid of provincial legislation prohibiting or restricting the sale or use of intoxicating liquors. It is moved by the hon. gentleman (Mr. De Salaberry) that clause 4, which was stricken from the Bill, be re-inserted. It is moved in amendment by the Hon. Mr. Beique, seconded by the Hon. Mr. Baird, that clause 4 be reinstated.

The House divided on the amendment, which was carried on the following division: Contents 30, Noncontents 17.

Contents:

Hon. Messrs.

Baird,	Frost,
Béique,	Gillmor,
Beith,	King,
Bolduc,	Legris,
Bostock,	Lougheed,
Bowell	McLennan,
(Sir Mackenzie),	Ratz,
Dandurand,	Roche,
Daniel,	Ross (Middleton),
Dennis,	Sproule,
Dessaulles,	Talbot,
Donnelly,	Taylor,
Edwards,	Thompson,
Farrell,	Watson, and
Fiset,	Yeo.—30.
Forget,	

Non-Contents:

Hon. Messrs.

Boyer,	Mason,
Choquette,	McSweeney,
Cloran,	Power,
David	Prowse,
Davis,	Ross (Middleton),
Derbyshire,	Tessier,
Domville,	Thibaudeau, and
Girroir,	Thorne.—17.
Lavergne,	

Hon. Mr. MURPHY—I am paired with Senator Wilson, of Montreal. If I had voted, I would have voted with the contents.

Hon. Mr. LOUGHEED—I move that this report, as amended, be concurred in.

Hon. Mr. WATSON—I wish to ask the hon. leader if he would like to restore clause 3.

Hon. Mr. LOUGHEED—I will accept the Bill as it is now.

The motion was agreed to.

Hon. Mr. CHOQUETTE—I beg to give notice that on the motion for third reading of this Bill to-morrow, I shall move the six months' hoist, particularly because clause 4 has been reinstated, and I shall defer my remarks until the question comes up.

CANADA TEMPERANCE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 90, An Act to amend the Canada Temperance Act.

(In the committee)

On clause 1.—" Sale in wholesale quantities and to certain persons only " (Section 120).

Hon. Mr. BOSTOCK—Would my hon. friend explain the change that has been made in that clause?

Hon. Mr. LOUGHEED—All these clauses are practically the same as the existing clauses, except where it is necessary to make consequential amendments in anticipation of Bill No. 66 becoming law. The effect of the amendment is to add a further restriction that liquor should not be sold unless it is to be sent outside the district in which the Canada Temperance Act is in force, and not into any portion of a prohibition province to be dealt with in violation of the provincial law in force there. That is, it throws upon the exporter, within the confines or limits of the Canada Temperance district, the responsibility for selling liquor outside the district in a province where there is prohibition. For instance, a liquor dealer within the confines of a Canada Temperance district in Ontario to-day could sell liquor in any other part of Ontario where there is no Canada Temperance Act in force, or where prohibition may not be in force, but if prohibition comes into force in the province of Ontario, he could not sell liquor in any part of the province.

The section was adopted.

Clause 1 (section 136), " search warrant."

Hon. Mr. LOUGHEED.

Hon. Mr. BOSTOCK—What is the reason for the alteration in that section?

Hon. Mr. DANIEL—Under the old Act a search warrant could only be carried out in the day time, but this erases the word "daytime" and makes it apply any time.

The section was adopted.

Hon. Mr. TAYLOR, from the Committee, reported the Bill without amendment.

GOVERNMENT RAILWAYS SMALL CLAIMS ACT AMENDMENT BILL.

Reported from Committee.

The House resolved itself into a Committee of the Whole on Bill No. 91, An Act to amend the Government Small Claims Act.

REPORTED FROM COMMITTEE.

Hon. Mr. MURPHY—As I pointed out the other day, some disability has arisen under this Act in its application to Prince Edward Island. As you will notice by the title of the Bill, it is an Act to provide for the adjudication of small claims arising in respect of the operation of Government railways. It is admitted on all sides—I have it from the highest law officers of the Crown—that in their mind there was no doubt but that the word "Intercolonial" as incorporated in the body of the Bill, included the Prince Edward Island railway. As members from Maritime Provinces know, the Intercolonial Railway was defined as that part of the main line in the provinces of Nova Scotia, New Brunswick and Quebec, and the line of the Prince Edward Island Railway—so many miles in Prince Edward Island. For some reason or other, instead of putting Government railways in the body of the Bill, they used the word " Intercolonial," and in small suits under this Bill, of which there are 67, the judge in looking up the interpretation clauses, found that the Interpretation Act in regard to the Intercolonial Railway referred to it as that part of the Government railway running through the provinces of Nova Scotia, New Brunswick and Quebec, thereby putting those litigants under that Act in a position where they were nonsuited. I think it is generally admitted that it was the intention of Parliament that the Prince Edward Island railway should be included as a branch of the Intercolonial railway, and knowing as we do the disabilities that have arisen under the Act, I take the liberty of moving an amendment as clause 2, to read as follows:

"That the words Intercolonial, where they appear in this Act shall be interpreted to have included from the date of its passing the Prince Edward Island Railway."

In the House of Commons this Bill came up the other night. The gentlemen from Prince Edward Island took the stand which has been taken here, but the motion that was moved was, to my mind and to the minds of the majority of the members of the other body, too comprehensive. The motion moved there was as follows:

"The said Act shall be deemed to have applied to claims arising out of operation of the said railway, branches and ferries, and from the respective dates at which the said Act was passed, and shall apply in the same manner, and to the same extent as if applied to claims arising on the Intercolonial Railway."

Hon. gentlemen will understand that that was never contemplated. The Government railways include at the present time the Transcontinental, ferries and other works that have come into existence since. The Prince Edward Island railway was regarded as part of the Intercolonial railway, and the intention of Parliament was that it should be included, and therefore I think it best, with the advice of gentlemen on both sides of the House, to move this amendment, which was refused by the Minister of Justice because, as moved in the other House, it included too much. The National Transcontinental railway was not in operation at the time. The railway which was intended was the Prince Edward Island railway, which should be included, and no disability should arise from the passing of the Act in 1910. I move this amendment, seconded by the Hon. Mr. Yeo.

Hon. Sir MACKENZIE BOWELL—How far would that affect the claims that have been filed in the courts in the province? What would be the retroactive effect of the passage of this Bill? There is a great deal of force in the remarks made by my hon. friend, but how many cases would that be likely to open, or would it legalize an action that had been thrown out of court years ago?

Hon. Mr. MURPHY—I have taken advice on that also, and I understand about 6 or 7 cases.

Hon. Sir MACKENZIE BOWELL—Is that all?

Hon. Mr. MURPHY—That is all.

Hon. Mr. LOUGHEED—I understand the position to be this: The Act was passed in 1910. In 1913 it was amended by increasing the amount of the claim which could be brought within the local courts from $200 to $500, I believe.

Hon. Mr. MURPHY—That is right.

Hon. Mr. LOUGHEED—Now the hon. gentlemen from Prince Edward Island, both in this Chamber and in the House of Commons, had the opportunity upon that occasion in 1913 of making this legislation retroactive, but the claims which were then unsettled have been allowed to slumber ever since. We are now in 1916, and it would possibly permit of claims six years old being resurrected against the Government, the evidence of which has probably disappeared long since, rendering the Government powerless to properly defend those suits. It is only in very exceptional cases that retroactive legislation is permitted to pass Parliament. The principle is a very dangerous one, except Parliament has an absolutely accurate knowledge of how far that retroactive legislation will affect the subject to be dealt with. Parliament would, therefore, be unwise to legislate permitting claims long since dead to be renewed as living claims against the Government. Now I am told by the Minister of Railways, with whom I have discussed this subject, that such claims as have been brought to his attention are of such a character that the Government would be unable to defend them on account of the disappearance of the evidence; that is to say, employees who at the time those claims arose would have been familiar with all the circumstances and could have given evidence, have disappeared, or their knowledge of the claims has entirely vanished. Under those circumstances, the Minister of Railways informs me that it would not be in the public interest to make this legislation retroactive, and I think it is in the interests of the Prince Edward Island railway particularly that this legislation as it now appears in the Bill should be accepted.

Hon. Mr. MURPHY—Oh, no, that is doing injustice to private individuals.

Hon. Mr. YEO—I think this is such a clear case that there should be no question of the Bill being made retroactive. Perhaps this legislation is exceptional, but this is an exceptional case. The Prince Edward Island Railway was always considered part of the Intercolonial Railway. The Bill itself says: "The Government Railway," and the Prince Edward Island Railway is a Government railway, but in the

body of the Act it says the Intercolonial Railway, and this error was never discovered until a short time ago, when some little case was brought in the County Court of Prince Edward Island, and it was then found that this omission had been made. I do not suppose that many cases are affected, but it would be doing an injustice to those who have claims not to be given a chance to recover what they are justly entitled to. There is no question as to the intention of the Act, and I do not think there need be any apprehension that many cases are coming up, but those who have right and just claims ought to have a chance to recover. I hope, therefore, that the committee will see their way clear to adopting the amendment.

Hon. Mr. MURPHY—Some fault was found with us because, on the revision of this Act in 1913, we did not stand up and have it inserted then, but I can tell the hon. gentleman that no disability was found to have arisen up to 1913. All these claims that are now before the courts, and all that are likely to come before the courts, had not arisen till after 1913. We did not see the disability until those claims came before the courts. Notwithstanding what the Minister of Railways may say, I am credibly informed that there are only six or seven claims altogether, and the largest of those claims is $200. In those cases they have been non-suited, and they are under the disability, contrary to the clear intention of Parliament that they should have an opportunity of bringing their claims before the small debts courts and not be put to the expense of going to the Exchequer Court. As far as the evidence in rebuttal of the claims is concerned, that is a very specious argument. I know Prince Edward Island, and know pretty nearly every official in the province, and the officials since 1913, who would be the witnesses for the Government, are in their places to-day. In this statement I would be supported by my hon. friend from Port Hill (Hon. Mr. Yeo) and my hon. friend from Charlottetown (Hon. Mr. Prowse).

Hon. Mr. RATZ—I do not know whether I understand this case or not, but this is a Government railway, and if the Government have been settling small claims on the Intercolonial railway I do not see why this legislation should not be made retroactive, unless the Prince Edward Island Government, by some neglect or other, paid out money they should not have paid; but as I understand those cases, they were all contested, they were all defended, and no doubt they were defended as economically as the Dominion Government could have defended them. Had this legislation been enacted three, or four, or five years ago, the Dominion Government, if they had defended those claims, would have had to pay out just as much money in costs, and I think the Dominion Government will be ahead if they make this Bill retroactive, because they will at least save interest on that money, and I do not see why the claims should not be paid.

Hon. Mr. POWER—I quite share with the hon. gentleman from Port Hill and with the leader of the Government the view that retroactive legislation is objectionable, but there are exceptions to all rules. For instance, I think it is rather objectionable when a Committee of the Whole has settled a question that that question should be unsettled the next day in the House, but one has to take these things as they come. I draw the attention of the committee to this fact, that the original Act of 1910 has this title:

> An Act to provide for the adjudication of small claims arising in respect of the operation of the Government Railways.

It does not say the Intercolonial railway; it says Government railways. That covers the Prince Edward Island railway. The first section of that Act says:

> This Act may be cited as the Government Railway Small Claims Act. That includes the Prince Edward Island railway also. Then, unfortunately, owing to some mistake of the draughtsman—

Hon. Mr. MURPHY—Clerical error.

Hon. Mr. POWER—When we come to section 2 it is said:

> Subject as hereinafter provided, any claim against His Majesty arising out of the operation of the Intercolonial .

It does not say Government railways, and if, instead of "Intercolonial railway" it said "Government railways," then Prince Edward Island would have been covered; but inasmuch as the Prince Edward Island railway is a Government railway, and inasmuch as it has been generally dealt with as part of the Intercolonial railway, it does seem to me that we are only doing what is fair and just in saying that this Act shall be held to apply to the Prince Edward Island railway as well as to the Intercolonial railway.

Hon. Mr. LOUGHEED—I might point out to hon. gentlemen that the case does not reveal the hardship which my hon. friend from Prince Edward Island would attribute to it. We have a court of Exchequer which is a peripatetic court, travelling from province to province, sitting in every city of the Dominion where any cases are to be heard, and any existing cases could have been dealt with by that court ever since 1910.

Hon. Mr. THOMPSON—Could they get down to a cow?

Hon. Mr. LOUGHEED—Yes, the Court of Exchequer will give due recognition, I understand, to anything within its jurisdiction.

Hon. Mr. MURPHY—It would be an expensive cow in the end.

Hon. Mr. LOUGHEED—There is another phase of this question. I stand subject to correction when I say that the claim must be brought within a certain period of time; there is a limitation of actions; that is to say, a claim will have to be brought against the Government, or against the railway company, under the Railway Act, or even the Act governing the Intercolonial railway, within 12 months I believe. The question arises whether this legislation would not revive all those claims which have already expired and which, within the term, should have been brought in the Exchequer Court. These are all considerations that should receive due weight and indicate the difficulty of our dealing with retroactive legislation. I can only repeat what I have already said, that in enacting retroactive legislation one never knows what is involved.

Hon. Mr. ROSS (Middleton)—I cannot conceive how this amendment would revive a claim that is barred by the statute of limitations. As I understand the question, it is a very simple thing. We always understood that the Intercolonial railway included the road from Montreal to Halifax and the Island railway, and the term Intercolonial railway covered what you see on the ordinary time-table, that is, the Intercolonial railway proper with the Island railway. Now when you amend the statute with the definition "Intercolonial railway shall be deemed to have always included the Island railways from the beginning," that is all that is necessary. If a claim has to be presented within twelve months, and that has not been done, that claim is dead; there is no process of reasoning by which you can revive a dead claim. This would merely amend by enlarging and defining the term "Intercolonial railway."

Hon. Mr. BOSTOCK—Can the hon. gentleman say within what time those claims have to be made?

Hon. Mr. ROSS (Middleton)—I think it is within 12 months they have to be presented.

The Chairman then read the amendment as follows:

That the words "I. C. R." where they appear in this Act should be interpreted to have been included from the date of the passage of said Act the Prince Edward Island railway.

Hon. Mr. POWER—What is the precise meaning of that phrase, "in this Act?"

Hon. Mr. LOUGHEED—That is the Act of 1910, I suppose.

The House divided on the amendment, which was carried on the following division: Contents 21, non-contents 5.

Hon. Mr. FARREL, from the committee, reported the Bill with an amendment.

ATLANTIC PARK ASSOCIATION BILL.

BILL REJECTED.

On the Order being called,

Resuming the adjourned Debate on the consideration of the Amendments made by the Standing Committee on Miscellaneous Private Bills to Bill B2, An Act to incorporate The Atlantic Park Association.

Hon. Mr. CHOQUETTE moved that the amendments be concurred in.

Hon. Mr. EDWARDS—In my humble opinion this is not a Bill that should pass.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. EDWARDS—This is fundamentally a provincial question. The Bill is framed in such a way as to appear to be a Dominion Bill, but all questions of this kind throughout Canada are confined to the Provincial Legislatures. It is the most peculiar Bill I have seen before Parliament in my time, and this Parliament would do what is entirely wrong to pass it. Prima facie, it appears to be a Bill in which men can invest their capital for the purpose of making money. Now, such cannot be done. Exhibitions and matters of that kind are philanthropic institutions; they are money-losing ventures. I am not speaking without a knowledge of the subject, because I have been a director of

a large Exhibition Association for 30 years, have been president of a County Agricultural Society for over 40 years, and I know that the objects of this Bill do not come within the scope of any such society. Personally I am unable to understand the Bill. The provisions of all such Bills, in as far as Ontario is concerned, are to the effect that the promoters cannot make any money out of them.

The provision, so far as the Toronto exhibition is concerned, is to the effect that none of the promoters or administrators can draw a salary or take payment of any kind, neither can they make any profit therefrom. The Central Association Exhibition of Ottawa and the Western Exhibition Association are in the same position. And why is that? Simply because it is well understood that these are really philanthropic movements and not stock companies for the purpose of making a profit. It is pretended that any kind of an Exhibition Association can import pure bred stock, or breed pure bred stock and make money out of it. As one engaged in the business, I know that is pure moonshine. The breeding of pure bred stock is generally carried on by wealthy men who have money to lose. In a few cases very advanced farmers and careful men may make a small sum that way, but it is not a profitable investment. Here comes a Bill before the Dominion Parliament, which should have gone, if anywhere at all, to the Provincial legislature, asking this Parliament to pass a Bill which appears under the guise of promotion of agriculture and subjects connected therewith, but is simply for the purpose of carrying on horse racing, and Parliament, in my opinion, would disgrace itself by passing any such Bill. I move that the amendments be not now concurred in, but that they be concurred in this day six months.

Hon. Mr. CHOQUETTE—It is just as well to have that motion made now as at the third reading. The only reason the hon. gentleman has given why we should not concur in the amendments is because Ontario cannot make any money out of exhibitions. He referred to Toronto, Ottawa and London and said no money could be made out of exhibitions. Well, since when? When a Bill is brought before the House by Railway promoters, this House has said that no money could be made out of these Bills. Surely my hon. friend has given a reason that cannot be taken seriously, and I am surprised that a man of his ability cannot furnish better reasons. The objection is childish and shows the Bill is good. We never have had it said in this House before that a Bill must be thrown out because no money can be made out of it. I took down the hon. gentleman's words, and I appeal to every hon. member of this House if he did not say that no money could be made out of exhibitions, and consequently, because no money could be made out of them, we should throw this Bill out.

Hon. Mr. EDWARDS—I want to put my hon. friend right.

Hon. Mr. CHOQUETTE—Put yourself right first.

Hon. Mr. EDWARDS—I claim that exhibitions of this kind are not in this country, or any place in the world, institutions which can be established for the purpose of making money.

Hon. Mr. MURPHY—The hon. gentleman means legitimately.

Hon. Mr. EDWARDS—And that all exhibitions in the Province of Ontario are placed on a basis on which, if they do earn money, those promoting them cannot profit by it personally. The city has to contribute every year to our exhibition in Ottawa. The exhibition in Toronto sometimes has a surplus which goes into the coffers of the city. Those who are promoting it cannot make a dollar therefrom. Speaking generally, I say none of these institutions can make money. Now it is not because of that that I say the legislation should not pass, but because it is a pretence to ask people to subscribe stock to an institution in which money cannot be made. Therefore I am suspicious of the objects of the institution. It is not to encourage agricultural pursuits, because money cannot be made therefrom, and I suggest it is for the promotion of horse-racing, gambling or something of that kind, and that is the purpose of this Bill and my hon. friend puts a wrong construction entirely upon what I say: The object which it pretends to carry out cannot be made profitable. Under the guise of being a philanthropic institution, it is intended, I am sure, for nothing but a gambling institution.

Hon. Mr. CHOQUETTE—I think the reason the hon. gentleman has given is just a corroboration of what I said.

Hon. Mr. EDWARDS—The hon. gentleman is dense.

Hon. Mr. CHOQUETTE—He says that no money can be made out of it because there happens to be a deficit in carrying on exhibitions in Ontario. My hon. friend goes further; he says it looks like a gambling proposition. He has no reason to say that. When my hon. friend had his own Bill in the House, the W. C. Edwards Company Bill, I might have said the same thing. I would have been wrong if I had said so; and I supported his Bill with pleasure. The object of the people who are presenting this Bill is to promote agriculture, horse-dealing, etc. I like the farmers, and I do not like to see this gentleman, a first-class farmer, rise and say, "well, this may be good, but there is no money in the Bill, and because it may be a gambling proposition—without any proof at all—we should throw it out. It is an insult to the promoters of the Bill, who are prominent men, and I protest against that. On the other hand, I say there is nothing in this Bill which is not absolutely clear, absolutely convincing and just for promoting agricultural exhibitions, delivering lectures on farming and so on.

Hon. Mr. LOUGHEED—And race-courses.

Hon. Mr. CHOQUETTE—Yes, if we have the permission of the provinces. There is no harm in that. I have attended races in Toronto, Ottawa, Dorval, and Delorimier, and races are held under the provincial law. Why not? The clause is absolutely clear. It says: "Subject to provincial law to construct and maintain race-courses, and steeplechase courses." There is no gambling. By the Bill we are asking to have race-courses if the provincial law permits them. If not we cannot have them. Really I am surprised at the opposition of my hon. friend. I cannot see the object of it. Everything is explained here. Putting the worst construction upon the Bill, that it is intended to permit horse-races, I do not see why I should object, because if the provincial law does not permit racing, there can be no races under the Bill. The provincial law will prevent that. If the promoters violate the law they will have to pay penalties.

Hon. Mr. GILLMOR—Do they propose having the race-track at Gaspé?

Hon. Mr. CHOQUETTE—I think so. They will be subject to the law of the province. If the law does not permit them to have races, it is not necessary to forbid it in the Bill. They will have power to construct and maintain race-courses and steeplechase courses subject to the provincial law. The objections, therefore, fall to the ground, and I do not see why my hon. friend should impute improper motives to the promoters and say that this is a gambling Bill. We might say in regard to every Bill which promoters get for a railway charter that it is a gambling proposition—obtaining a railway charter to put it in the market and sell it. I am surprised at the objection: It is just supposition. If there is no money in the Bill it shows that it is just for the purpose of promoting farming, and the breeding of good horses and cattle and stock of every kind. This is the first time I have seen objection taken to a Bill because there is no money in it. If I did not know my hon. friend from Rockland I would impute motives to him. I am sure he is actuated by the best motives, but the reasons he gives for the position he takes are unsound.

Hon. Mr. SPROULE—I think the hon. gentleman who has just spoken entirely misunderstood the hon. gentleman from Rockland. What I understood him to say, and what I believe he meant to say was this: that as our law is in Ontario, it is not intended that any person should make money out of agricultural societies—not racing—and the provincial law provides that you may not tack on racing to an agricultural society. That is what the hon. gentleman means if I understood him correctly, by saying it was never intended to make money out of agricultural societies. but if you give this right and power in provinces where the provincial law does not prohibit it, then you can go in and make all the money you like by this means, and as there is only one province, as far as I know, in the Dominion that prohibits racing, they will have a free hand in all the others. Then, outside of that, you can go into Ontario, and under this law establish your racing society, and avoid, if you are so inclined, touching on the agricultural part.

Hon. Mr. DANDURAND—No, I beg pardon. If the hon. gentleman will look at the Bill, we insert in clause 7 the purposes of the association. Now in virtue of clause 8 the association may do all other things incidental or conducive to the attainment of the above object. So that they are incidental to the application or use of the

powers granted under clause 7. If the powers granted in clause 7 are not the principal purposes and are not used, then clause 8 cannot be operative, and it is clause 8 which contains the right to establish race-courses and steeple-chase courses, but only if they are incidental to the holding of exhibitions.

Hon. Mr. LOUGHEED—What clause is that?

Hon. Mr. DANDURAND—Subsection 6 of clause 7.

Hon. Mr. LOUGHEED—Who will determine that?

Hon. Mr. DANDURAND—I beg my hon. friend's pardon for giving an explanation while he is speaking.

Hon. Mr. SPROULE—I should like to know who has the floor.

Hon. Mr. DANDURAND—The hon. gentleman from Grey..

Hon. Mr. SPROULE—Notwithstanding the amendments made to this Bill, it is still very objectionable, and contains in it things which, if carried out in connection with the aims of the original promoters, will import the very thing we are trying to prevent in the provinces,—that is, racing, gambling and pool-selling. That is the purpose of it as set forth in the old Bill. but not disclosed in the new one. In the original Bill we see what they aim at. This is not the first of these Bills that have been introduced in Canada. The object is concealed as much as possible by a number of other purposes that are put prominently to the front; the racing part is stated in a few words, so that attention being attracted to the other objects of the Bill, the object of racing would be overlooked entirely. When I spoke the other day on the Bill I said that on account of the inclination of certain hon. gentlemen connected with the sport to introduce the feature of gambling throughout the country where there was no law to prohibit it, the Criminal Code was amended by the Miller Bill to check the evil. The hon. gentleman referred to the provisions of that law the last day he spoke on this Bill—that is, that you could not have more than two meetings in a year of the same association, and neither of those meetings could last more than seven days. How did they overcome that? The association in Windsor was running a meeting for a whole month. They had a few horses, some first-class, some second-class, and some lower down. But the arrangement between those men was that every man should make something out of that race meet, and every man was to get so much money whether his horse was able to win or not. They arranged it so that he was to win so much money, and they were there all the time enticing the public to come in, and were selling pools and gambling, and betting on the races, day and night, until it became so obnoxious that the people were obliged to take it up and apply to Parliament for an amendment to the Criminal Code to stop that kind of thing. The amendment was introduced and it provided that no association should have more than two meets a year, and each meet was to last not more than seven days. What did they do to evade that law? They would start an association in Windsor, and others in London, Woodstock, Hamilton, Ottawa, and Montreal, and have one meet of seven days up in the West, and finish the meet at a certain time. The meeting at London would commence a day or two after, as soon as they could get their gambling outfit ready, and last seven days there. Then move to Hamilton, and remain there seven days; then to Toronto; then to Kingston; then to Ottawa and Montreal, and follow right through the country, so that they kept it going practically all the time. All they wanted was a few days' rest between meets. That is the way they desired to carry it out.

While Ontario has its law prohibiting racing in connection with agricultural societies, it does not prohibit it in connection with other gatherings, and therefore if you give them this power they can go on and drop the agricultural part, but they can proceed and organize their horse-racing society and carry it out just as I say, and I contend it is a demoralizing and a gambling institution established for that purpose. That is the main purpose desired by the promoters of the Bill, and this House should not allow it to pass.

Hon. Mr. DANDURAND—The committee went through this Bill, and eliminated a number of clauses that they thought were obnoxious. The Bill was reported as amended, and reprinted. If there is any hon. gentleman who thinks any of the clauses are still objectionable, he can move to have them erased. I may say that when we asked in committee that this

Bill should be reprinted, and a certain number of clauses eliminated, when it came back before us we were shown the powers granted for the formation of societies for holding agricultural shows, and the principal powers contained in clause 7 were copied word for word in the Agricultural Act of the province of Quebec. Further powers were sought, such as holding race-courses, constructing and maintaining race-courses and steeplechase courses. As to the purposes of the Act—

Hon. Mr. LOUGHEED—They would not insist on that, would they?

Hon. Mr. DANDURAND—The committee decided that that was one of the things they could not do, but allowed them to do it in connection with the holding of their exhibitions, subject to the laws of the province where they would try to operate. Now, if the Senate thinks that even as an incidental power that should not be granted them, and under the operation of provincial laws, the Senate, of course, can do so. I have not attended many agricultural exhibitions, and none where there was not some horse-racing, so in my ignorance of conditions prevailing in other provinces I said that incidentally, for the purposes of their show, they may have horse-races, or some kind of a circus, because it seems to be necessary in holding all kinds of shows that there should be some kind of sports going on in order to attract the people.

Hon. Mr. LOUGHEED—Would they not waive their horse-racing?

Hon. Mr. DANDURAND—It is for the Senate to decide. I do not know the promoters of this Bill; the names are those of strangers to me, but we have tried in the committee to divest ourselves of the influence of the names, as we did not know them, and not to be swayed by them. Perhaps if some Sir Knights in this country had appeared, one or two, or a dozen of them, asking to hold agricultural exhibitions, and to have in connection with those exhibitions race-tracks, it would have appeared very orthodox. I know of very many such institutions where the prominent people of Canada, throughout Ontario and Quebec, are the principal officials, and those things are conducted according to law and seem to be very well conducted. Because the names of the promoters are unknown to me I cannot be influenced thereby; I simply asked myself, as a member of the committee, should these powers be granted to any group of people—and we came to the conclusion they should. But if the Senate thinks that we granted too much it is for the Senate to move in the matter.

Hon. Mr. ROSS (Middleton): I should like to ask the hon. gentleman if the clause at the top of page 3 is not meant to get the horse-racing there from under any Dominion law regarding horse-racing and put it under provincial law, and if that would not be effective. That clause reads:

Subject to provincial laws construct and maintain race-courses and steeple-chase courses.

Supposing it were a criminal law, or anything in the criminal law respecting horse-racing, or all kinds of racing, race-courses, steeple-courses—

Hon. Mr. DANDURAND—We have not absolved the parties from the operation of any Federal Act, or any Federal law but we have put them expressly under provincial law besides the Federal laws that they come under.

Hon. Mr. ROSS (Middleton)—It does not say that. They are to do that subject to provincial law.

Hon. Mr. DANDURAND—I do not believe that they are absolved from any Federal law.

Hon. Mr. ROSS (Middleton)—I consider it is a complete let-out from Federal law.

Hon. Mr. LOUGHEED—We cannot overlook the fact that when this Bill was first introduced it was a Bill to incorporate a racing association. That was the primary object and practically the only object they had in view. Why attempt to deceive ourselves as to the purpose for which the promoters of the Bill came to Parliament? But in considering clause 7, we are very deeply touched with the solicitude shown by those gentlemen to promote the agricultural interests of Canada.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—I do not know that I have ever read a clause in a Bill that has appealed to my sense of public duty as clause 7 does. When I think of how those gentlemen are inspired to elevate the public mind, particularly in agriculture, I feel that we are under a very deep sense of obligation to them. When I think of their holding meetings, hiring lecturers, conducting discussions on the theory and practice of husbandry: when I think of

them promoting the circulation of agricultural periodicals, offering prizes for essays on questions of theoretical and practical agriculture, and then following that up by importing and otherwise procuring animals of superior breeds and new varieties of trees, plants, grains and seeds of the best kind; and then, not being satisfied with that, proceeding to organize ploughing matches, competitions respecting standing crops and the best cultivated farms, and then going even further by holding exhibitions and giving prizes thereat for the raising and introduction of superior breeds of stock and so on—when I consider all those things I have thought of appealing to those gentlemen to assist us on the economic commission appointed for the purpose of inquiring into the expansion of Canada's agricultural production. Yet, notwithstanding the very praiseworthy objects set out in clause 7 by the promoters of the Bill, I find my hon. friend from Gray doubting the sincerity of those gentlemen and inclining to the suspicion that they really want to engage in the particular object mentioned at the top of page 3, in paragraphs 3 and 4, namely, the construction and maintenance of race courses and steeplechase courses. It just shows you how hard it is sometimes to impress members of Parliament with the really benevolent objects some promoters have in coming to Parliament for particular purposes and which are sometimes—sometimes—like a joker concealed in a Bill. Now I fancy that if the Standing Committee on Private Bills had just struck out the two lines from that small sub-paragraph of paragraph 3 and 8, viz.:

"Subject to provincial laws, construct and maintain racecourses and steeplechase courses."

The gentlemen who are the promoters of this Bill would have lost all interest in the agricultural community.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. MURPHY—I might tell the hon. Leader of the Government that if he had seen the first draft of that Bill as presented he could have seen how much it has been altered.

Hon. Mr. CHOQUETTE—I wish to thank the hon. gentleman for the good words he has said in regard to the promoters of the Bill, and in this century when we are looking for greater agricultural production, especially after the war, the Bill is just in that line, and we are quite willing to do anything possible to help the Government in that way. The main object of this Bill shows the purposes. My good friends have been speaking of the subject mentioned in clause 8. I should like to ask what good reason can be given against these races, when in Ottawa here you have the Connaught Race Club patronized by the Governor General?

Hon. Mr. ROSS (Middleton): I think the hon. gentleman is out of order, he has spoken twice on that subject.

Hon. Mr. CHOQUETTE—Every man has spoken two or three times. We are discussing the life or the death of the Bill. The motion is to kill the Bill, and I would ask the leave of the House specially to answer what the Leader of the Government has said, particularly the last words he spoke in reference to the race-course. Members of this Parliament have owned and managed the best race-course in this Dominion, patronized by the Governor General and members of this House.

Hon. Mr. ROSS (Middleton)—I renew my objection. My hon. friend is out of order.

Hon. Mr. CHOQUETTE: My hon. friend himself spoke three of four times on this Bill.

Hon. Mr. ROSS (Middleton)—I renew my objection. The bill was in Committee then.

Hon. Mr. CHOQUETTE—Just one minute, and that I must have in finishing.

Several Hon. GENTLEMEN—Order, order! Question!

Hon. Mr. CHOQUETTE—I just wish to say—

Several Hon. GENTLEMEN—Order, order! Chair!

Hon. Mr. CHOQUETTE—I will remember this some day when my hon. friend is on his feet; sometimes the member for Leeds, who used to run away when questions were in the House—

Hon. MEMBERS—Order, order!

Hon. Mr. CHOQUETTE moved that the Bill be adopted now.

Hon. Mr. EDWARDS moved in amendment that the word "now" be struck out and that the following words be added, "this day six months."

The House divided on the amendment, which was adopted.

Hon. Mr. CHOQUETTE—As the Bill has been killed, I move that the fees be remitted to the promoters, less the cost of printing and translation.

The motion was adopted.

ST. PETER'S RESERVE BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on (Bill 67), An Act relating to St. Peter's Indian Reserve.

(In the Committee.)

Hon. Mr. LOUGHEED moved the adoption of clause 2, a, b, c.

Hon. Mr. DAVIS—I move in amendment to strike out all that part of clause 2 following the first paragraph thereof. That means that I want to strike out the dollar an acre. I am willing to allow the rest of the Bill to pass. I do not believe the dollar an acre should be paid by those people.

Hon. Mr. LOUGHEED—Does not my hon. friend believe that this is a money Bill, and that we have no right to strike out what affects the revenues of the Crown?

Hon. Mr. DAVIS—There is no revenue going into the treasury.

Hon. Mr. LOUGHEED—Yes, there is between $43,000 and $45,000 going into the Treasury.

Hon. Mr. DAVIS—I think my hon. friend is mistaken.

Hon. Mr. LOUGHEED—No, the dollar an acre which this produces will represent from $43,000 to $45,000, all of which goes into the treasury of the Government as trustees for the Indians.

Hon. Mr. DAVIS—They are merely acting as trustees for the Indians. I do not know by what scope of his imagination my hon. friend the leader of the Government can lead this House to believe that this is an ordinary money Bill. This is not a money Bill.

Hon. Mr. LOUGHEED—Well, I raise the question of order that we have no authority to make the amendment. You can reject the whole Bill, but you cannot amend it.

Hon. Mr. BOSTOCK—If my hon. friend's contention is right, there is no use in moving the Bill into committee, since we cannot make any amendment.

Hon. Mr. LOUGHEED—That is simply a matter of procedure; we invariably do it pro forma. Of course, I am quite willing to take the Bill out of committee and move the third reading without delay.

The CHAIRMAN (Hon. Mr. Murphy)—If you are going to raise a question of that kind, I would suggest that the committee rise and report progress, and refer the point of order to the Speaker.

Hon. Mr. DAVIS—We have reported progress several times. We have heard all the arguments pro and con. We claim that the parties have paid their money to the Dominion Government for the land, and expect a title. A cloud has been thrown on it, and the first part of this Bill removes that cloud. The attempt to represent this as a money Bill is something new; it is the first time I have heard such an argument in a case of this kind. The Government are not making any money; they are acting as trustees for the Indians. My hon. friend the leader of the House has on other occasions claimed as money Bills measures which were not money Bills.

The CHAIRMAN—I have my own ideas on the matter, but as I am a young member, I should like the Speaker to take the Chair and decide this point of order.

Hon. Mr. LOUGHEED—I move that the committee rise and report progress, and ask leave to sit again.

Hon. Mr. WATSON—Before the Chairman leaves the Chair, surely the leader of the House is not serious in this matter; I think it is a joke, because not a dollar of this money goes into the Dominion Treasury. It is funded for the Indians; the Government are selling Indian lands, acting as trustees.

The CHAIRMAN—The hon. leader of the Government has raised the point of order.

Hon. Mr. LOUGHEED—It is a public fund, the same as any other fund; it is a trust fund administered by the Government.

Hon. Mr. WATSON—The Government has no right to the fund.

Hon. Mr. SPROULE—It seems to me in one sense clearly a money Bill, because it proposes that there is so much more money that must go into some fund of the Treasury. Many years ago I remember a somewhat similar question was raised in connection with the Northern Railroad. A

proposal was made to strike off so much money that was due the Government. In that instance it was held, and correctly held, as I believe all admitted afterwards, that that could not correctly be done, as it was a money Bill. In the same sense this must be a money Bill, and my understanding of it always has been that the Senate could not interfere with a money Bill. Even the clauses of a Bill involving money passing one way or the other, the Senate has no power to deal with. I think the rule was laid down very clearly that they must pass them in blank and allow the Commons to deal with them, not the Senate.

Hon. Mr. THOMPSON—With respect to the money Bill, I thought it had to be proceeded with only by the consent of the Governor General. I do not regard this as a money Bill. It does not provide for the expenditure of any revenue, but it says here:

> The Certificate of the Deputy Superintendent General of Indian Affairs certifying that a lien has been paid and satisfied should be a valid discharge of such lien.

It looks as though this Bill was introduced here for the purpose of collecting a certain sum of money which will pass to the Deputy Superintendent General of Indian Affairs, and not into the public revenues of the country; and I presume that a money Bill must have the consent of the Governor General before it can be introduced to the House.

Hon. Mr. LOUGHEED—As my hon. friend knows, the Indians are the wards of the Government. They are the trustees for the Indians. The Government administers this fund precisely as it would administer its own funds. It is its own fund to all intents and purposes. The Government gives to the Indians certain lands, and the Government sells the lands and administers the funds. In paragraph c of clause 2 we find the following:

> In cases where the owner gives His Majesty a lien creating a first charge upon the land subject only to taxes—

Hon. Mr. THOMPSON—Is it not an imposition of a tax upon the ratepayers for certain purposes—not for the purposes for which the Government appropriates funds?

Hon. Mr. LOUGHEED—This is a Bill where the Government sells the land. It is immaterial what they do with the money.

Hon. Mr. WATSON—They are not their lands.

Hon. Mr. LOUGHEED—They are the lands of the Government because the Government is the trustee. The title to the land is vested in the Crown. It is the Crown that issues the patent.

Hon. Mr. THOMPSON—Have they not issued the patent?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. THOMPSON—Then it has passed out of the Government's hands.

Hon. Mr. LOUGHEED—The land is vested in the Crown, and the Crown issues the patent, and the Crown receives the money. It is clearly a money Bill.

Hon. Mr. BOSTOCK—I cannot see why it should be considered a money Bill. It certainly deals with money, but it is a matter of arrangement. The arrangement was made between the Government through the Solicitor General, who was acting on behalf of the Government with certain parties, in order to remove the suit in the Exchequer Court, and I cannot see how that comes within what we find in May at page 574, where he says:

> In all aids given to the King by the Commons, the rate or tax ought not to be altered by the Lords.

It is not an aid in any shape or form. It is a matter of agreement to remove difficulties in which the Government finds itself placed in the action before the Exchequer Court.

Hon. Mr. LOUGHEED—By the motion of my hon. friend, he wipes out at one sweep a sum exceeding $40,000, of which the Government would be the receiver.

Hon. Mr. DANDURAND—Not the owner.

Hon. Mr. LOUGHEED—Yes, the owner in law, because they are the trustee, and the trustee in law is the legal owner. The trustee may not be the beneficiary. My hon. friend is too good a lawyer not to know that the legal estate is vested in the trustee.

Hon. Mr. DANDURAND—That cannot be controverted, but these are not moneys that are levied by the Crown for the advantage of the people; it is for the advantage of the Indians, the wards of the Government, and I think there is a distinction to be made between the position in which the Government stands in relation to this Bill——

Hon. Mr. LOUGHEED—What is the difference between the Government being the trustee for the Indians, and the trustee for the public? Is there any distinction? I am satisfied that time should be taken to look into it. We can go into committee to-morrow.

Hon. Mr. MURPHY, from the committee, reported that the member from Prince Albert had moved an amendment, and objection was taken that this being a money Bill could not be amended by the Senate, and the committee rose in order to obtain a decision.

Hon. Mr. DAVIS—As to whether this is a money Bill?

Hon. Mr. MURPHY—And the hon. gentleman can move an amendment.

Hon. Mr. DAVIS—Yes, when I hear the ruling.

Hon. Mr. MURPHY—The report is that the hon. member from Prince Albert moved that subsections a, b and c of clause 2 be struck out, and the hon. leader of the Government raised the question that it was a money Bill and the amendment was out of order, and the committee rose to permit the Speaker to decide the question.

Hon. Mr. DANDURAND—To decide the appeal.

Hon. Mr. MURPHY—To decide whether it is a money Bill.

Hon. Mr. DANDURAND—I understand the question is submitted to his honour the Speaker on an appeal from the decision of the Chairman.

The SPEAKER—The Chairman did not give any decision.

Hon. Mr. MURPHY—I did not express any opinion.

Hon. Mr. LOUGHEED—The Chairman, with that modesty which always characterizes him, said he was too young a member to be prepared to give a decision.

Hon. Mr. EDWARDS—The leader of the House suggested that the committee rise, report progress, and ask leave to sit again. That is all that is involved.

Hon. Mr. DAVIS—Will my hon. friend give some reason why he wants the committee to rise? I understood the Speaker was to settle the question whether this was a money Bill.

Hon. Mr. LOUGHEED—I thought the Chairman would state to his honour the Speaker what progress had been made and would state the point in dispute.

Hon. Mr. DAVIS—Yes.

Hon. Mr. LOUGHEED—And the Speaker will give a ruling to-morrow.

The SPEAKER—Yes. When will the committee meet again?

Hon. Mr. LOUGHEED—To-morrow.

MILITARY AND NAVAL DEFENCE AID BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 87, An Act for granting to His Majesty aid for Military and Naval Defence. He said: This is a Bill in which Parliament is asked to vote for war purposes the sum of $250,000,000. Hon. gentlemen will doubtless recall that, after the declaration of war in 1914, fifty million dollars was voted by Parliament. In the session of 1915 an additional hundred million was voted, and now it is found to be necessary to ask Parliament to vote two hundred and fifty million dollars. It is not necessary for me to take up the time of the Senate to point out the unexpected magnitude which this war has reached. When the sum of fifty million dollars was first voted it was anticipated that in all probability it would meet the requirements which then appeared upon the horizon. It was thought at that time that if Canada sent forth a contingent which numbered, say, from twenty-five to thirty thousand men, it would be sufficient. Hon. gentlemen will remember that even Great Britain herself had for a very considerable time previous to the war, and in the event of war, anticipated not requiring a greater expeditionary force to be sent to the continent than 160,000 men. I think our ally, France, even at that time, did not expect from Great Britain a larger expeditionary force. Since that time the magnitude of the war has increased every month, almost all the nations of Europe have become involved in this the greatest cateclysm of all history. The armies of France have been increased many fold, those of Russia many fold, those of Great Britain from an expeditionary force of 160,000 men, to what was stated by the Prime Minister of Great Britain the other day, some 5,000,000 men. I understand that no

less than this latter number have been mobilized in Great Britain to meet the war requirements. We in Canada, when we entered upon the war, did not anticipate, as I have said, having to send forward a greater contingent than probably 25,000, and when it was suggested some time ago by the Prime Minister that Canada should increase its quota up to half a million men, public sentiment at once approved of the proposal then made. Up to the present time we have mobilized substantially over 300,000, with every probability of reaching the 500,000 limit at a comparatively early period. Under these circumstances, Parliament cannot be surprised that it has been necesary for us to ask from time to time for increased grants to meet the enormous expenditure involved in this, the greatest war of all ages.

Hon. Mr. BOSTOCK—We have become accustomed to voting large sums of money, and we realize that it is necessary, in the interests of the country and the whole Empire, that Canada should do her very best to prosecute her part in this war to a final conclusion. We may consider that certain things that the Government is doing in regard to the war are not exactly what we should do if we were in office, but we realize that every one is liable to make mistakes, and that the most we can do is to help support the Government in every way to prosecute the war to the quickest and best conclusion that we all desire.

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

ST. JOHN AND QUEBEC RAILWAY-AID BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill No. 98, "An Act to aid in the construction of certain lines of railway of the St. John and Quebec Railway Company and to confirm an agreement between the Company and the Governments of Canada and New Brunswick."

He said: The object of this Bill is to provide that certain aid be given by the Government of Canada towards the construction of a certain line of railway known as the St. John and Quebec railway. Some four or five years ago the Government of New Brunswick entered upon the construction of a line of railway through the valley of the St. John river.

Hon. Mr. THOMPSON—Supposed to be from Grand Falls to St. John.

Hon. Mr. LOUGHEED—That Government guaranteed bonds of the company which had entered upon the carrying out of the enterprise. The Government of Canada was approached in 1912 to give assistance to the building of certain expensive bridges, that formed part of the enterprise.

In 1912 legislation was passed guaranteeing bonds to an amount not exceeding one million dollars to cover the cost of construction of certain bridges over the St. John and Kennebecasis rivers. This legislation was afterwards amended, I believe in 1914, permitting the Government of Canada to contribute further aid towards the construction of those bridges. It was ascertained that the carrying out of the building of the bridges to completion would cost in the neighborhood of three million dollars. The entire project has been reconsidered since that time, and a new project, practically, has been entered upon and the Government of Canada proposes granting a subsidy to the new lines according to the Subsidy Act which has been upon the Statute book for a very considerable time, namely $3,200 per mile if the cost of the railway is under $15,000 per mile, and increasing that aid if the railway should exceed $15,000. The railway is to be constructed in three sections:—one, the railway from Andover, in the County of Victoria, to Centreville, in the County of Carleton, not exceeding 26 miles. That is not yet built. The next section is built—it may not be entirely completed—from Centreville to Gagetown, in the County of Queens, not exceeding 120 miles. Then a new section is to be built, being a railway from a point at or near Gagetown to a point on the Canadian Pacific railway at or near Westfield in the County of Kings, not exceeding 45 miles from Westfield into the city of St. John. It is anticipated that running rights will be secured over the Canadian Pacific railway tracks and over the St. John bridge belonging to the St. John Bridge and Railway Extension Company. Under the agreement which has been entered into between this Government and the Provincial Government, it is estimated that the cost of the bridges will be saved, viz., about three million dollars. Hon. gentlemen who come from St. John will doubtless be more familiar with this project than I am, but that is simply an outline of what is provided for in the Bill. Therefore, I move the second reading.

Hon. Mr. BOSTOCK—I should like to ask the hon. gentleman if the Government is going to take over this road? Is it to become a part of the Government road in any way under this agreement?

Hon. Mr. LOUGHEED—Yes, the Government is taking it over for some 99 years, and it will be operated as part and parcel of the Transcontinental system, and I presume also as part of the Intercolonial railway.

Hon. Mr. McSWEENEY—Upon what terms?

Hon. Mr. LOUGHEED—On the basis of 60 and 40.

Hon. Mr. McSWEENEY—Net or gross.

Hon. Mr. DANIEL—Gross earnings.

Hon. Mr. LOUGHEED—Sixty per cent will represent gross earnings and 40 per cent will be reserved to meet the fixed charges upon the road, as I understand—that is the bonds—

Hon. Mr. THORNE—Forty per cent of the railway revenue to the owners of the road.

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

EXCHEQUER COURT ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (99), An Act to Amend the Exchequer Court Act. He said: The object of this Bill is to amend the Exchequer Court Act so as to give jurisdiction to the Exchequer Court to determine the value of ptoperty. There need be no legal question involved in the submission to the court—only the bald valuation of the property. It is considered that the Act is not sufficiently explicit to permit of this being done.

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

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

Thursday, May 11, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

ERROR IN MINUTES.

Hon. Mr. DAVIS—Before the Orders of the Day are called I wish to draw attention to an error in the Minutes in regard to the Prohibition Aid Bill. On page 508 of the Minutes I find the following:

> The Honourable Mr. Lougheed moved, seconded by the Honourable Sir Mackenzie Bowell, That the said report be now adopted.
>
> The Honourable Mr. Watson, in amendment, moved, seconded by the Honourable Mr. Davis, That the word "not" be inserted before the word "now," and that the following words be added at the end of the question: "but that section (2) two, which was struck out from the Bill, be reinstated therein."

Sometimes the Speaker has to select some hon. gentleman to second the motion, and I do not object to that, but in this case I voted against it. The record will show that I seconded the motion for which I afterwards voted. I did not wish to second it at all.

ATLANTIC PARK ASSOCIATION INCORPORATION BILL.

Hon. Mr. BOLDUC—I desire to make a motion which cannot be made without the unanimous consent of this honourable House. Yesterday the Bill entitled An Act to incorporate the Atlantic Park Association was killed. Now I understand the promoters of the Bill are willing to remove from the Bill the objectionable clauses, namely those relating to horse-racing, and if those clauses are expunged, I do not see that there is any objection to give them the charter they are seeking for.

I move, with the consent of the House, that Bill (B-2), An Act to incorporate the Atlantic Park Association, be replaced on the Orders of the Day for further consideration to-morrow.

The SPEAKER—I suppose it is understood the motion for the refunding of the fees is withdrawn.

The CLERK OF THE SENATE—The money has been paid.

Hon. Mr. BOLDUC—Then they might have the right to place the Bill on the Orders of the Day, if they repay the money to the Clerk of the Senate.

Hon. Mr. CHOQUETTE—When I voted for the Bill yesterday, I did it at the instance of the hon. gentleman from Rimouski. I know nothing about the Bill, but the hon. gentleman from Rimouski, the father of the Bill, was away; so I was

asked to move it, and when the discussion took place on the Bill I saw the promoter and told him he ought to withdraw that clause about horse-racing, and that this Bill would then pass. He said "No, I prefer the Bill should be killed," and I said, "all right." The Bill was killed. Then I moved that the money be refunded, and I understand the money has been paid to the promoters.

Hon. Mr. BOLDUC—I suppose the Bill cannot be proceeded with until the promoters refund the money.

The SPEAKER—With the understanding that the money be refunded, the Bill might be placed on the Orders. Of course if the money is not refunded the Clerk will not place the Bill on the Order Paper.

The motion was agreed to.

ST. PETER'S RESERVE.

The SPEAKER—I was asked to give a decision on a point of order taken yesterday on the St. Peter's Indian Reserve Bill. I was also asked to give an opportunity for a little discussion on the question of order, which would be very valuable to me. I have no objection to have the question discussed now.

Hon. Mr. MURPHY—We had the discussion.

Hon. Mr. DANDURAND—His Honour the Speaker has always the right to ask for enlightenment on a point raised.

Hon. Mr. MURPHY—Oh, he is enlightened.

Hon. Mr. BOSTOCK—My hon. friend the leader of the Government yesterday raised this question about the St. Peter's Reserve Bill being a money Bill. I tried to point out yesterday that it was not a Bill that came within the term "Money Bill," inasmuch as the money was only incidental to the Bill. The payment of this money came about, as I understand it, in this way, that in order to get rid of this suit that had been started in the Exchequer Court, an arrangement was come to between the Solicitor General, acting for the Government, and the solicitor acting for some of those parties, that on the payment of one dollar an acre, this suit should be withdrawn, and the Government should bring down legislation for the purpose of giving effect to the titles already granted. Now I do not think that that money comes within the term of a money Bill, as being a tax imposed by the Government for the purpose of carrying on the business of the country; I refer hon. gentlemen to a clause on page 582 of May, in which he says:

> **Money Bills outside the Commons privileges.—The claims to an exclusive right over financial legislation exerted by the Commons has not been extended to Bills dealing with funds set apart for the purposes of general but not public utility. For instance, Bills embracing charges upon the property and revenue of the Church, or Queen Anne's Bounty; Bills dealing with the property and land revenues of the Crown, the proceeds of which are not consigned by Statute to the consolidated funds.**

That last clause covers very closely the condition which we have before us at the present time. This money, if it is money at all under the meaning of "Money Bill," is certainly derived from land or revenues of the Crown, and the proceeds are not consigned by statute to the consolidated fund. I submit, therefore, that we have a right to deal with this Bill. This quotation from May covers very closely the case that we have before us, and on my understanding of it this would not be considered a money Bill in the ordinary interpretation of the term.

Hon. Mr. BEIQUE—I think for an additional reason that this Bill is not a money Bill. These lands are the property of the Indians, and are held by the Government for the benefit of the Indians. The Government, so to speak, is merely acting as trustee for the Indians, and the money, the one dollar per acre, which is to be paid as a condition of the settlement of the suit is not to enure to the benefit of the Crown but to the benefit of the Indians.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. BEIQUE—That, it seems to me, would take the Bill outside of the classification of a money Bill, for the reason that was stated by the hon. gentleman who has just spoken (Hon. Mr. Bostock) and for the additional reasons that the money will not enure to the benefit of the Crown, but to the Crown as trustee for the Indians, and also for the reason that the payment of this sum is merely to secure a confirmation of the title.

Hon. Mr. DANDURAND—Hon. gentlemen will perhaps allow me to push a little further the argument that has just been made. The citation made by my hon. friend from British Columbia (Hon. Mr. Bostock) I will repeat:

> **Bills dealing with the property and land revenues of the Crown, the proceeds of which are not consigned by statute to the consolidated fund, are not Money Bills outside of the Commons privileges.**

I claim this is not even a Bill dealing with the property and land revenues of the Crown, because it does not pretend to alienate or dispose of the lands of the Crown. That has already been done in virtue of a general Act which did not need any confirmation by Parliament. It has been done to the extent that letters patent have been granted by the Crown in virtue of a general law. The title, the sale, has been completed and confirmed by the Crown in granting its patents. The owners, the purchasers, wish to have those patents registered. They are the owners, having paid their money. The Crown does not come here, and does not need to come here, to confirm that title; it only comes here to ask that upon the payment of a supplementary dollar, the parties may have a special confirmation of a title which the Crown has attacked. So that practically this Bill has for its principal object the settling of a claim which the Crown sets up before the tribunals, attacking the validity of its own title. This is a Bill to remove the cloud of doubt which may exist on a title already granted in virtue of the law, which does not need any confirmation; but by the fact and by the acts of the Crown contesting that claim before a tribunal, it turns to the purchaser and says, "You may have your peace and a confirmation of that title by paying a dollar." Now there would be a reason for the Crown coming to Parliament to ask to discharge a mortgage on a property if we admitted the principle that is contained in the Bill, that it is necessary for the purchasers to pay that further dollar.

If we admitted the principle and allowed this transaction to go, and the purchaser to pay that supplementary dollar, or bind himself by mortgage on his property to pay that dollar, what would happen? The mortgage having been given, a lien would exist on the property, and then I understand the Government would need to get supplementary powers from this Parliament to discharge that lien; but there will be no lien if this Parliament decides that it is opportune to confirm the title without any supplementary money being paid. This is not a Bill for the purpose of empowering the Government to dispose of lands. Not at all. The disposal has taken place, the purchase money has been paid, the title has been handed to the purchaser, and the transaction is complete. Now the Government comes and says, "Inasmuch as we have put a cloud on that title by challenging its validity by an action in court, we now ask, the purchaser consenting—because he is not obliged to do so—the payment of that dollar that we give him a confirmation of title, and if the owner binds himself to pay at a future date, we will take a mortgage, and we ask by this Bill to be enabled to discharge that lien; but if we decide that there is no need for the confirmation of the title, then there is not even a shadow of doubt as to the necessity of this Bill coming before Parliament. We can reject the Bill *in toto* and the parties would remain with their valid title, the land having passed completely to the purchaser; or the Government having raised a suspicion as to the validity of the title, we may say, "Well, it is in order that the first part of clause 2 may be adopted, and the patent declared valid and confirmed." This is not a Money Bill.

Hon. Mr. CLORAN—I should like to ask the leader of the Government a question of law. If the Bill were passed, would the Registrar General of Manitoba be obliged to give confirmation of this title and register it?

Hon. Mr. DANDURAND—That is not the question of order.

Hon. Mr. SPROULE—I do not propose to go into the history of this Bill at any length, but it seems to me there are two or three things which determine whether the Bill is a Money Bill or not. The first is how it is introduced. If it is a Money Bill it should be introduced by resolution; and the second is, does it affect the revenue, or does it affect property that is usually under control of and handled by the Crown. Dealing with that phase of it, I noticed, looking this up for a moment, some cases that were cited in the past. One is with regard to the proposal of an amendment made by the Senate to a Bill which came from the House of Commons, in which it was proposed to give a larger grant of land to the settlers than the Bill provided for. That was improper and irregular, it was contended, because it was a Bill that could not properly be amended by the Senate on account of its being a Money Bill. Bourinot at page 627 says:

> As an illustration of the strictness with which the Commons adhere to their constitutional privileges in this respect, it may be mentioned that on the 23rd of May, 1874, a Bill was returned from the Senate, with an amendment providing for an increase in the quantity of land granted to settlers in the Northwest. The premier and other members doubted the right

of the Senate to increase a grant of land—the public lands being, in the opinion of the House, in the same position as the public revenues.

This certainly is part of the public lands handled by the Dominion Government. Another instance which I saw, but which I cannot turn up on the spur of the moment, is in connection with the Bill to regulate the size of mineral water bottles. If my memory is correct, that was amended by the Senate. The amendment was objected to on the ground that it was not within the province of the Senate to amend such a Bill, and the objection was held to be good. With those cases before us, there is little doubt that this is a Bill of analogous nature, dealing with the public lands.

Hon. Mr. DANDURAND—This Bill pretends to deal with lands which pertain to the Crown. Will the hon. gentleman, reading the Bill, indicate to the Chamber what the Government is divesting itself of in virtue of this Bill?

Hon. Mr. SPROULE—The Government is trustee for the Indian lands, which were originally Crown lands, but set apart for the Indians. If through improvidence or otherwise they have been disposed of in some way——

Hon. Mr. DANDURAND—By the Crown.

Hon. Mr. SPROULE—for much less than their value, and by some illegal process which has been set out by the Exchequer Court in this case——

Hon. Mr. WATSON—Oh, no.

Hon. Mr. SPROULE—That is my understanding.

Hon. Mr. DANDURAND—Before, not by, the Superior Court.

Hon. Mr. SPROULE—They found the surrender was not an illegal surrender.

Hon. Mr. DAVIS—Who found that?

Hon. Mr. SPROULE—The commission who went into the inquiry, I understand, and, if I remember correctly, the judges as well. Let me mention one item that I think must be convincing to any one. The Indian Act provides that to make a surrender legal and valid it must have the consent of a majority of the members of that band who are of the full age of 21 years and over. In this case there are the affidavits that at least 75 members of that band were away, hired out in some other district, and the motion was only carried by seven of a majority, in a meeting of less than the majority of the band.

Hon. Mr. DAVIS—Is this going to legalize it?

Hon. Mr. SPROULE—I say, in support of my contention, that if the Government found that property of the Crown, held by them in trust for the Indians, had been improperly disposed of, and there was just ground for going back on that, they had a right to reconsider the transaction and get the most they could out of that property which was the property of the Crown.

Hon. Mr. THOMPSON—I understand that the Crown has no interest in this property now, that the patents have issued for the land, and the property had passed out of the hands of the Government. The compromise which has been made was made outside between the parties, and originally started by the registrar, who refused to register the patents. There is one thing evident; that what my hon. friend brings up in respect of their not having a majority of the Indians present, to my mind, is not covered by the question whether this is a Money Bill. We are arguing that point——

Hon. Mr. SPROULE—I did not say a majority of those present, because the law does not say that.

Hon. Mr. THOMPSON—If a majority of them were not present that does not make this a Money Bill. We are considering whether this is a Money Bill. The hon. gentleman read from Bourinot that a measure dealing with property of the Crown might be considered a money Bill. This property does not belong to the Crown. This property has passed from the Crown by patents issued, and therefore, the right of the Crown has gone. It is not in the hands of the Crown, and the question the hon. gentleman brings up does not affect the question whether this is a Money Bill or not. It may be strong ground for reconsideration of the sale, but whether a Bill will settle that or not, it certainly cannot settle a wrong in respect to the transfer by the Indians. It may be accepted as a sort of adjustment of it, but it does not touch the point.

Hon. Mr. POWER—There is one point I should like to ask the hon. leader of the Government. The Senate, in order to be

satisfied that this is a money Bill, must be satisfied that it was introduced in the House of Commons by resolution.

Hon. Mr. LOUGHEED—No. That only relates to Bills concerning money to be voted by Parliament. This is entirely different from that. This is not a Bill appropriating money for the Indians.

Hon. Mr. POWER—It is not a money Bill, in fact.

Hon. Mr. LOUGHEED—I should like to point out how these Indian moneys form part of the Consolidated Revenue fund——

Hon. Mr. DAVIS—No, no.

Hon. Mr. LOUGHEED—and come under clause 2 of the Consolidated Revenue Fund Act, where the following provision is made:

2. In this Act, unless the context otherwise requires—(a) "public moneys," "public revenue" or "revenue," means and includes and applies to all revenue of the Dominion of Canada, and all branches thereof, and all moneys, whether arising from duties of customs, excise or other duties, or from the post office, or from tolls for the use of any canal, railway or other public work, or from fines, penalties or forfeitures, or from any rents or dues, or from any other source whatsoever, whether such moneys belong to Canada or are collected by officers of Canada for or on account of or in trust for any province forming part of Canada, or for the Government of the United Kingdom, or otherwise;

The broadest possible language is employed to indicate what goes into the Consolidated Revenue Fund of Canada, and I venture the statement now that all moneys belonging to the Indians should be placed in the Consolidated Revenue Fund of Canada, and if these moneys are received they go into that particular fund. I have also looked into the Indian Act and find in it no provision providing for any special fund. It simply deals with the administration of the fund, but the moneys themselves go into the fund which I have mentioned.

Hon. Mr. WATSON—If the hon. gentleman will look up the Indian Act he will find a provision dealing exactly with this fund. I refer to chapter 81, section 91, where we find the following provision:

The proceeds arising from the sale or lease of any Indian lands or from the timber, hay, stone, material or other valuables thereon, or on a reserve, shall be paid to the Minister of Finance to the credit of the Indian fund.

Hon. Mr. BEIQUE—Suppose that the Bill, instead of levying a payment of one dollar, was confined to settling the suit between the parties in the Exchequer Court, would it be a money Bill?

Hon. Mr. DANDURAND—That is what it is.

Hon. Mr. BEIQUE—It has a condition of paying one dollar.

Hon. Mr. POWER—There is one circumstance that strikes me as being strange in connection with this discussion, and that is that the Senate is questioning its own jurisdiction. This question which is being discussed here is one which might properly arise in the House of Commons when the Bill goes back with our amendment. The Commons might say we have gone beyond our jurisdiction, but I do not see why that should trouble us. It is time enough for us to take action when the Commons say we have no right to deal with it.

The SPEAKER—If hon. gentlemen will permit me I will not give a decision at this sitting.

CORRECTION OF MINUTES.

Hon. Mr. MURPHY—I wish to draw attention to the Minutes of Proceedings yesterday with reference to the vote on the Aid to Prohibition Bill. My name does not appear in that vote, and the reason why it does not appear is not stated in the Minutes.

PROVINCIAL PROHIBITION AID BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill No. 66, An Act in aid of provincial legislation prohibiting or restricting the sale or use of Intoxicating Liquors.

Hon. Mr. DAVIS—Before this Bill is read the third time, I wish to move the following sub-amendment to clause 2:

No brewer or distiller shall distil, manufacture or brew within the boundaries of any province that has adopted prohibition, under like penalties.

It is all right for us to pass the resolutions we did yesterday to punish violations of the law in Montreal or Vancouver, but as long as we allow liquor to be manufactured in a province which has adopted prohibition, some of that liquor will get away and be used. If we are to have prohibition, let us have prohibition.

Hon. Mr. CLORAN—Hear hear.

Hon. Mr. DAVIS—You say you want to carry out the law and assist the provinces to have prohibition; how will you assist them when you allow brewers and distillers to go on manufacturing whisky and

beer and wine and so on within the boundaries of a province that has adopted prohibition? If any province wishes to prohibit the use of liquor within their boundaries we should assist them in every way to make the law effective. A province has no jurisdiction over brewers and distillers; that is a Federal matter entirely. I have not the least doubt that most of the provinces that have adopted prohibition would have passed legislation to prohibit the manufacture of intoxicating liquors within their boundaries if they could have done so, but they have not the power; so they come here and ask us to assist them in enforcing prohibition. If it is the law that liquor should not be used within a province, why allow it to be manufactured there? If this Bill is introduced for the purpose of enabling the provinces to enforce prohibition laws, then do away with the brewers and distillers.

Hon. Mr. DANIEL—Has any province established by law absolute prohibition?

Hon. Mr. MURPHY—No, none.

Hon. Mr. DAVIS—I might tell my hon. friend that that does not make a bit of difference.

Hon. Mr. DANIEL—Yes, it does.

Hon. Mr. DAVIS—The object of the Bill now before us is to enable the provinces to enforce their prohibition law, whether partial or full prohibition. We are not aiding them to do so if we allow the manufacture of liquor to continue within the prohibition province.

Hon. Mr. DANIEL—I understand a prohibitory law is one that absolutely prohibits importation, manufacture or sale to any extent whatever.

Hon. Mr. DAVIS—The provinces have no power to stop the manufacture.

Hon. Mr. DANIEL—The hon. gentleman's amendment mentions "any province which establishes prohibition" which means of course total prohibition, when the hon. gentleman knows that there is no province in Canada that has passed any such law. Such an amendment appears to me to be an absolute farce, playing with the question.

Hon. Mr. McSWEENEY—What about Prince Edward Island? They have prohibition.

Hon. Mr. CHOQUETTE—I think it is about time to test the sincerity of those who are said to be in favour of prohibition. I am told that this Bill was passed in the other House with the expectation that it would be killed here, the other House not wishing to take the responsibility of rejecting the Bill. I think it is time to give each one an opportunity of saying whether he is sincere or not in advocating prohibition. When the Bill was up for second reading I spoke in this way:

> If this were a prohibition Bill, I would not hesitate to vote against it, because I do not believe in prohibition; I do not think we can effect it in any province; but as this Bill is only to help the provinces which want prohibition to make their legislation effective, I think there is no harm in voting for it and let the Bill go to the committee.

Yesterday, when clause 4 was erased from the Bill, as it was one of the clauses to which I objected at the time, I said that I would move the six months' hoist when it came to the third reading; but when this morning I saw the amendment of my hon. friend (Hon. Mr. Davis) I said I would drop my motion and stand by his proposition. I am always willing to submit to the majority of the people here and elsewhere, and if the majority in any province vote for prohibition, though I would vote against it myself, I am willing to submit to the majority. But you are not going to have prohibition in a province when you leave ten breweries or distilleries to manufacture liquor and sell it in the province and elsewhere. So I am willing to test the sincerity of all those who profess to desire prohibition. Those who are for it sincerely can have no objection to strictly enforcing the law; if they oppose this amendment it shows that they want prohibition for others, but not for themselves, and therefore are not sincere. I am against the Bill with the clause inserted yesterday, because it goes too far, but I am willing to stand for this amendment to test the sincerity of those who are clamouring for prohibition.

Hon. Mr. ROSS (Middleton)—I wish to point out that the motion made by the hon. member for Prince Albert is out of order. It is in direct conflict with the main Act.

Hon. Mr. LOUGHEED—And with the principle of the Bill.

Hon. Mr. ROSS (Middleton)—The Bill is a measure to give effect to provincial legislation, and makes it a crime to do anything outside a province that would violate or assist in violating a provincial law. Now the hon. gentleman brings up a proposition that has no bearing on the question. It deals confessedly with a subject over

which the province has no jurisdiction, and that is why he justifies bringing it in. A province cannot deal with that. Now, if the hon. gentleman wants that legislation, he will have to introduce a new Bill. There was a case that attracted a great deal of attention in England in which suffragettes got into conflict with Premier Asquith and Mr. Lloyd George. The speaker in that case held that an amendment to a Bill, brought in just as the amendment of the hon. gentleman is here, was not an amendment to the main principle of the Bill, but was in itself a brand new proposition that could not in any sense be termed, or construed to be, an amendment to the principle of the Bill.

Hon. Mr. DAVIS—The principle of the Bill, if I understand the measure that is before this House, is to enable the provinces that adopt prohibition to enforce their law. How are you going to give them power to enforce prohibitory laws if you allow a lot of breweries and distilleries to exist in those provinces?

Hon. Mr. ROSS (Middleton)—The side notes show the principle of the Bill, that it is in aid of provincial legislation.

Hon. Mr. THOMPSON—The House must be surprised at the wonderful conversion of my hon. friend from Prince Albert since yesterday. It suggests something that I read somewhere like this:

> When the devil was sick,
> The devil a monk would be;
> When the devil got well,
> The devil a monk was he.

Hon. Mr. DAVIS—I want to find out how many hypocrites there are in this House.

Hon. Mr. MURPHY—I want to point out to the hon. member for Prince Albert that there is not a province that has total prohibition.

Hon. Mr. McSWEENEY—How about Prince Edward Island?

Hon. Mr. MURPHY—It has not absolute prohibition; liquor is allowed to come into the province for medicinal, sacramental and mechanical purposes. Now, that presupposes that liquor must be manufactured somewhere, and why not in our own country as well as outside of it? At the present time the British Government, for munition purposes, has commandeered all the largest distilleries, and I understand some of the largest distilleries in America are manufacturing alcohol night and day for the purpose of producing munitions for the French Government.

Hon. Mr. DOMVILLE—Another mode of killing men.

Hon. Mr. MURPHY—Another mode of killing men, if you like. I must say this is a strange and wonderful conversion of my hon. friend from Prince Albert.

Hon. Mr. CLORAN—The argument that the amendment is not germane to the Bill, I hold cannot stand. When this Bill was introduced I called it a one-legged Bill. It does not stand on two feet; it is a one-legged Bill, and drags itself. The provinces have passed prohibition laws against the sale of intoxicating liquor. Now they want assistance to have that law carried out. The aid and assistance they ask from the Federal Government, and which the Federal Government is willing to give them, is to prevent the exportation of liquor from a non-prohibition province into a prohibition province. Well, that is one way of aiding them; it is a lop-sided way of doing it. The Bill does not say that anybody in Manitoba can get all the liquor he wants from the province of Ontario. It is a one-sided, one-legged Bill. Now when the hon. senator comes before this hon. House and before the country and wants to put the Bill on two sound legs——

Hon. Mr. BEIQUE—Wooden legs.

Hon. Mr. CLORAN—Wooden legs, good casts, so that they will not tumble over, objection is taken, by whom? By the very men who advocate prohibition.

Hon. Mr. DAVIS—Hear, hear.

Hon. Mr. CLORAN—By the very people who are advocating the destruction of all intoxicants; and when the hon. senator points out the easiest way in the world to do away with liquor and its evils, these very prohibitionists rise, and, in the face of the country, say that our conversion is not sincere.

Hon. Mr. DOMVILLE—But my hon. friend did not get what the hon. member from Prince Edward Island said—they needed this liquor there.

Hon. Mr. CLORAN—I will answer him; I know all about Prince Edward Island. So I hold that instead of opposing this amendment, the hon. senator from Middleton, as well as the others who think with him, should stand by this proposition and root out the evil.

Hon. Mr. DAVIS—Root it out.

Hon. Mr. CLORAN—Root it out; do not be lopping off a branch here and there and then allow the tree to grow again in darkness, in villany and in hypocrisy; do not allow the tree to spread its poisonous branches when this House, by the sub-amendment, can destroy the entire liquor traffic of this country. That is what the prohibition people want, and that is what we are prepared to give them—we, the temperance people, for we are the temperance people.

Hon. Mr. DAVIS—Hear, hear.

Hon. Mr. CLORAN—It evidently comes to what I said the other day; the people who sing out prohibition are two classes—men who are prohibitionists and reformed men who had been taking liquor; intemperate men and prohibitionists. Now the old saying is, "You will never find virtue, truth or justice except in the centre between the two extremes." We have the two extremes in this country, and why not allow the voice of the temperate to prevail? Here, now, the temperate people are proposing an amendment by which the temperate people will get a full measure of prohibition. Why do you not take it? The names will be taken, and the names of the people who vote against straight prohibition; and then we will know how to deal with them throughout the country. Now, regarding Prince Edward Island, the learned doctor from Tignish says they have no prohibition in the island.

Hon. Mr. MURPHY—I did not say that; I said we had no absolute prohibition.

Hon. Mr. CLORAN—That is what I call splitting a hair—no absolute prohibition. If prohibition is not absolute, then it is not prohibition. I admit that the hon. senator from Tignish is right when he says they have liquor in the Island. I know of no place where they have more, or where I see the effects of it more, and I know of no other place on the face of God's earth where men are able to take champagne while taking a bath in the ocean's waves, come out and lie in the sand and have the champagne bottle. I have seen that; I have been a party to the treating; doctors and judges and lawyers and bankers coming out to the seaside resorts with their bags filled with all kinds of the best wines, the best whiskeys, having it at table, having it on the seashore in the moonlight nights of the hot summer, go in and take a plunge and come out and take a swig. Now, that is Prince Edward Island for you.

Hon. Mr. MURPHY—It is the tourists that took it in.

Hon. Mr. LOUGHEED—As my hon. friend from Middleton has well observed, this amendment is entirely contrary to the principle of the Bill. The principle of the Bill is that the Dominion Government would prohibit, so far as the exercise of its power is concerned, importation into the province in accordance with the laws of the province. That is to say, whatever the laws of the province may be, the Dominion Government will extend its machinery towards endeavouring to carry out the laws of that province. If a province chooses to legislate against the manufacture of liquor in that province, it is time enough for my hon. friend to ask that legislation of this character be enacted. But that is not even necessary. If the provinces desire to enact any prohibitory, or partial prohibitory law, they have, under the decision of the Privy Council, power to prohibit the manufacture of liquor within the boundaries of the province, so far as may be necessary for the purposes of provincial legislation. In a case which was known as the Provincial Prohibition case, which went to the Privy Council, I think it was in 1896, the question was asked the Privy Council: Has a Provincial Legislature jurisdiction to prohibit the manufacture of such liquors in the province? The answer of the Privy Council to that question was: "The committee say that there may be circumstances in which a Provincial Legislature might have jurisdiction to prohibit the manufacture within the province of intoxicating liquors and the importation of such liquors into the province." That is to say, the doctrine has been laid down and is accepted by us in all legislation, that for the purpose of carrying out the enactment of the province, the province has authority to enact legislation against the manufacture, so far as the manufacture is ancilliary to their legislation. In no part of the Dominion of Canada have the provinces gone even as far as that, nor have they exercised their power to the extent indicated by the Privy Council.

Hon. Mr. DAVIS—If that is true, why does the Government introduce this Bill? Is it to make the people think they are doing something for them?

Hon. Mr. LOUGHEED—As I have said, the legislation embodied in this Bill has been embodied according to public sentiment expressed by the different provinces

of Canada, and the Parliament of Canada is not desirous of going any further than they have been requested to do.

Hon. Mr. DAVIS—Then it is not necessary for us to proceed with this Bill at all. If my hon. friend's contention is correct, that the provinces at the present time have absolute jurisdiction and can pass legislation to prohibit the importation and exclude liquor in every shape or form, why are we going on with this Bill?

Hon. Mr. LOUGHEED—I did not say that.

Hon. Mr. DAVIS—Is it to make the people think we are doing something which we are not doing?

Hon. Mr. DOMVILLE—They ask for bread and we give them a stone.

Hon. Mr. ROSS (Middleton)—That Act passed by the province will only be effective in the province, but it is made a crime in all the other provinces to violate the provisions of the Act.

Hon. Mr. DAVIS—Do the other provinces not have to pass an Act before it comes into effect?

Hon. Mr. BELCOURT—I do not think we should worry over the amendment, because it does not amount to anything. It says, "No brewer or distiller shall distil, manufacture or brew within the boundaries of any province that has adopted prohibition under like penalties." Now there is no sanction of that. Supposing he does brew or distil, who is going to be hurt?

Hon. Mr. POWER—There is a provision for a penalty in the first part.

Hon. Mr. BELCOURT—No. Section 1 makes it a crime to send, ship, take, bring or carry, or cause to be sent, shipped, taken, brought or carried to or into any province and so on, and the other provision (b) "Shall sell or cause to be sold any intoxicating liquor." If that offence is committed, then there is a penalty and the statute says what the penalty shall be, but the brewing or distilling is not made a crime. This is without any sanction whatever. It is absolutely meaningless. I am in sympathy with my hon. friend's idea altogether. I think if a province decides that it shall adopt prohibition we should facilitate it in every possible way, and if my hon. friend will get at it in the proper way I will support him. If he will introduce an amendment to the Inland Revenue Act providing that no license shall be issued to distil or brew in any province which has adopted prohibition, then he will have a proper enactment and I shall support it.

Hon. Mr. ROSS (Middleton)—Is there not a clause in the Criminal Code which provides that where no penalty is specified in the Act a certain standing penalty will be inflicted?

Hon. Mr. BELCOURT—No. I say without the slightest hesitation that there is absolutely no clause of that kind in the Criminal Code.

Hon. Mr. CLORAN—Could not be.

Hon. Mr. BELCOURT—No.

Hon. Mr. POIRIER—Not only do I believe this amendment to be out of order altogether for the reasons put by my hon. friend, but I believe it is going much further than the House of Commons, or in fact this House, intends to go. We are here asked to make legislation supplementary to the enactments passed by the different provinces, in order that the attempt they are making to have prohibition in the provinces should be effective. We simply hope to give them a full chance to test their legislation, and for that purpose we supplement their Act by a federal measure. Why should we go any further? Why should we now take a step into their shoes and go one better towards legislating directly towards having, not prohibition of importing, but prohibition of manufacturing in the provinces? They have not asked that. Let us wait until the provinces express a desire for such legislation before we pass an Act to make it effective. Why should we step out of our sphere—I will not say our jurisdiction, but out of our sphere—and supplement them as it were in their own provinces, and enact what they seem not to be disposed to have put in the statute-book? I fully concur in the opinion of my hon. friend that this motion is out of order. It is not relevant. It is new legislation altogether, and it is not germane to the Bill that the Government have put before us. I therefore sustain the appeal that will be made to the Chair, and whatever the decision of the Chair, I shall certainly take as strong a position as I can against our passing sumptuary laws, instead of leaving it to the provinces. Let these things come from the people, and when we ascertain that public opinion is

behind them, then, whether we like it or not, our duty is to help them carry out their design. Whether we approve of the principle involved in that, it is a proposal to which I bow. I do not believe in it, but my opinion has nothing to do with the validity of the Act by itself. I may err. I wish to give them a chance to try and legislate drunkenness or intemperance out of the Dominion. They can only have a partial test if we do not come to the rescue. When they have a perfect test they will then be in a position to say whether such legislation is desirable or not.

Hon. Mr. POWER—It is contended by the hon. leader of the Government and by some other hon. gentlemen that this amendment by the hon. member from Prince Albert is not relevent to the Bill. Now, we look at the Bill, and there is no preamble, but we get the intent of the Bill from its title. Its title is "An Act in aid of provincial legislation prohibiting or restricting the sale or use of intoxicating liquors." How can we more effectually aid the provincial legislature than by prohibiting the manufacture of liquors within the province? Take the province of Ontario; there is, I understand from reading what has taken place in Cobalt and other districts, a great deal of illicit sale of liquor at the present time in some parts of the province of Ontario. Every hon. gentleman can see that if you allow distilling to go on without restriction in the province of Ontario the inducement to drink and sell liquor contrary to law is very much increased. If a man who wishes to violate the law has to go to Montreal and pay money for liquor which is imported it is liable to be stopped on the way, and he has to take a much greater risk than if he simply goes to a distiller in London, or some other place in Ontario, and gets some liquor and takes it away on the quiet, so to speak. So far for the relevancy of the amendment. I think it is really a most meritorious and beneficial amendment. It is intended to make the Act very much more effective than it is, and I cannot understand how hon. gentlemen, who profess such an admiration for prohibition and restricting other peoples' appetites, object to this. The hon. gentleman from Ottawa took the ground that this was not an amendment. I do not think the hon. gentleman was justified in that. The amendment proposed by the hon. gentleman from Prince Albert is to add to clause 2 of the Bill these words, imposing a penalty on the brewer or distiller who manufactures in a prohibition province, and the amendment says: "Shall be subject to the like penalties as prescribed in subsection 1 of this section." What are these penalties?:

Clause 2 of the Bill says: "In addition to any other penalties prescribed for a violation of section 1 of this Act, any person holding a license to carry on the business or trade of a distiller or brewer who violates the provisions of this Act."

And so on, and the last words of the clause are:

"And on conviction for third offense shall forfeit his license and shall thereafter be unable to hold such license."

The amendment the hon. gentleman proposes inflicts such penalty on the distiller or brewer as the first subsection inflicts on the parties mentioned there. I think it is perfectly in order and a benefit to the amendment. That is looking at it from a prohibition point of view.

The SPEAKER—The Motion by the Hon. Senator Lougheed is that the Bill be read a third time, and the hon. gentleman from Prince Albert moves that the Bill be not read a third time, but that it be amended by adding to clause 2 the following words:—

"No brewer or distiller shall distil, manufacture or brew within the boundaries of any province that has adopted Prohibition under the like penalties."

The House divided on the amendment which was rejected on the following division.

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Hon. Messrs.

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NON-CONTENTS:

Hon. Messrs.

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REPORT FROM COMMITTEE.

Hon. Mr. FROST—I should like to have my vote changed, because I am voting for the prohibition movement. I did not understand the question.

The SPEAKER—With the permission of the House the vote of the hon. gentleman may be changed, that will make it 15 to 31.

Hon. Mr. FROST—I vote with the Hon. Mr. Bostock.

The motion was agreed to and the Bill was read the 3rd time and passed.

THIRD READINGS.

Bill 90, "An Act to amend The Canada Temperance Act."—(Hon. Mr. Lougheed.)

Bill 98, "An Act to aid in the construction of certain lines of railway of the Saint John and Quebec Railway Company and to confirm an agreement between the Company and the Governments of Canada and New Brunswick."—(Hon. Mr. Lougheed.)

ST. PETER'S INDIAN RESERVE BILL.

BILL LOST.

On the motion to go into Committee of the Whole on Bill 67, "An Act relating to the St. Peter's Indian Reserve."

The SPEAKER—So as not to detain the House on a point of order——

Hon. Mr. LOUGHEED—Before his hon. the Speaker gives his decision I feel it is only due to the House to correct a mistake, at least a statement which I made. I said that I was under the impression, but stood subject to correction, that the fund was administered in the consolidated revenue fund, the same, for instance, as some of the provincial funds. I have since made inquiry and find that the Indian fund is kept entirely separate from the consolidated revenue fund. I might say, however, notwithstanding that correction, that I am still of the opinion that it is a money Bill.

The SPEAKER—All bills, the object of which is to raise money, whether by loan or otherwise or to warrant the expenditure of any portion of the same, are held to be money Bills.

They may be divided into three classes: tax bills, bills of supply and bills of appropriation.

Tax bills, for raising revenue to be applied towards the services of the current year, are founded upon resolutions of the Committee of Ways and Means.

In like manner Bills of Supply, authorizing an advance out of the Consolidated Fund or the issue of Exchequer Bills towards making good supplies which have been voted by the House of Commons for the service of the year, emanate from the Committee of Ways and Means and are founded on resolutions.

When the Committee of Supply and Ways and Means have finished their sittings, a bill is introduced, which enumerates every grant which has been made, appropriates the several sums which have been voted by the Committee of Supply, which shall be issued and applied to each service. This is known as the Consolidated Fund Bill, or more generally as the Appropriation Bill.

That settles the question, in my humble opinion, and I declare the point of order not well taken.

Hon. Mr. POWER—Good.

(In the Committee.)

On clause 2.

Hon. Mr. DAVIS—moved, by way of amendment, to strike out all clause 2, following the first paragraph thereof. He said: While the discussion on the Bill has been pretty full, I might say, in summing up the whole of the proposition, that I find there is no justification on the part of the Government for asking the people who purchased this land to pay an extra dollar an acre for it, because it is not a question whether the surrender is legal or not. That has been threshed out and settled. The fact of the Government bringing down this legislation practically concedes that the surrender is all right, because they offer to take another dollar. Their asking this extra dollar admits that the surrender is beyond question. That question then is, did the people who bought this land buy it legally from the Dominion Government, at a sale that was legally advertised by the Department of Indian Affairs? The notices and advertisements were to the effect that under an Order in Council passed by the Governor in Council, this land would be sold by public auction. The Dominion Government sold that land to the purchasers, and these bona fide purchasers have paid the money and got bona fide title from the Dominion Government. Now it appears very strange to me that the Government should come down and say "Give us a dollar extra; it is true that there is no illegality about the sale, and that you bought this legally and right." As to whether or not there are mistakes by officials, what has the innocent purchaser to do with that? Absolutely nothing at all. He

bought this land entirely in good faith. It is a hardship. A widow paid a dollar an acre on that land, and now she is asked for another dollar an acre, but she has not got the other dollar; her husband has died and she cannot pay it. If there is any mistake, let the Government officials make it good if they feel that the Indians have not been justly dealt with. Any sensible man would say that the Indians got the benefit of the whole thing; they got 75,000 acres on the shores of lake Winnipeg, better than the land they gave up; they got buildings on the land and transportation to it, and they have the benefit of it; there is no hardship to them. This Government should not do such a pettifogging business as to ask for this extra dollar. Therefore, I move that it be struck out.

Hon. Mr. DANIEL— There is one striking argument used by those who oppose this Bill, and that is that all the sympathy they have shown goes to the speculative buyer. The poor Indian gets no sympathy at all; he is left out in the cold, as he is very apt to be, and as he generally finds himself. Here are lands close to a city, some of them, I understand, absolutely embraced within the boundaries of a city, bought at a sale which is considered, and has been considered even by a commission of judges, of such an irregular character that the lands bought at that sale were not considered to have been legally obtained. Those lands were bought at a small rate, some at $5 or $6 an acre, I believe. They could not have been bought for agricultural purposes, but must have been purchased to divide into town lots and sold off in town lots of 25 feet front. It was land which should at least be worth $100 an acre; yet all the sympathy that is expended over this supposedly illegal sale is given to the speculative buyers who bought the land, apparently very much below its value. For my part, my sympathy goes out to the unfortunate Indians who have been deprived of their land at a much less rate than it ought to have been sold for. We might extend a little more sympathy to these unfortunate Indians, who are ignorant, and brought up in such a way that they could not possibly compete with those who are over them, easily deceived, uneducated, wards of this country, people who should be looked after and protected rather than to be actually cheated out of their lands. The Indians are content—seeing that they could not get any more—to take the additional dollar and call the thing square. Even after that there are hon. gentlemen in this House who say: "We have no sympathy with those Indians; all our sympathy goes to the speculative buyers who are going to make a lot of money out of it." I do not think it is right, and my sympathy is with the Indians.

Hon. Mr. DAVIS—If the Government sympathises with the poor Indian, and the Indian officials made a mistake, why do they penalize the purchasers?

Hon. Mr. DANIEL—The people are quite willing to pay it—glad to pay the extra dollar.

Hon. Mr. LOUGHEED—We have taken up a very considerable time in discussing the question of surrender. I do not think there can be any question as to the irregularity, at least, of the surrender; it certainly was irregular under the Indian Act, because the Indian Act is most explicit. There must be a majority of the band, not a majority of those present. Now a settlement has been effected through all parties concerned, and that settlement has been arrived at after very considerable negotiations. The settlement, so far as I can ascertain from the correspondence, originated quite as much with the purchasers as with any other person. The solicitors for the purchasers suggested to the Government that they accept a dollar an acre, and that this legislation be brought down; consequently that is arranged. Arrangement has also been made to withdraw the proceedings in the Exchequer Court. This is all to operate as a settlement of the proceedings. Now, my hon. friend is not serving the purchasers, he is not doing a good act to the purchasers in disturbing this settlement, because I can say to my hon. friend that, except this legislation goes through, the matter remains tied up. The Registrar General of Manitoba, who is the officer of the provincial government, will refuse to issue the certificate of title to the patents, and I may say to my hon. friend now that the Dominion Government will not proceed to validate the proceedings by legislation. He only leaves the matter like Mahomet's coffin, between heaven and earth, where it has been suspended for some time past, and disturbs a very satisfactory settlement, a settlement financially more satisfactory to the purchasers than to the Indians.

Hon. Mr. DAVIS—I told the hon. gentlemen the other evening that the leading

solicitor for the majority of those people who are to pay the dollar said that they are being held up.

Hon. Mr. LOUGHEED—I can show the official correspondence in which that same solicitor has suggested that the Government take a dollar an acre and validate the title.

Hon. Mr. DAVIS—What he told me was that they would be willing to pay the dollar an acre, but he said he thought they were being robbed of the dollar an acre, and he told the Solicitor General that same thing. The people up there feel that they are being robbed.

The House divided on the amendment which was carried on the following division: Contents, 25; non-contents, 16.

Hon. Mr. LOUGHEED—I move that the Committee rise.

Hon. Mr. CLORAN—That means killing the bill.

The Motion was agreed to.

EXCHEQUER COURT ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. LOUGHEED moved the House in committee of the whole on Bill (99) An Act to amend the Exchequer Court Act.

(In the Committee.)

On Clause 2:

Hon. Mr. LOUGHEED—I explained on the second reading that the object of the Board is to permit the Exchequer Court to determine the value of properties entirely irrespective of any legal question being submitted to them—pure question of value.

Hon. Mr. BELCOURT—Is that for the Railway the Government want to take down there?

Hon. Mr. LOUGHEED—No, I understand the minister is bringing in a special Bill touching that class of property. There are questions of valuation being submitted to the Exchequer Court, and the Judge of the Exchequer Court thinks he has not the authority which this Board confers.

Hon. Mr. BOSTOCK—I was going to draw the attention of the leader of the Government to one matter in connection with this case. We passed to-day a Bill dealing with Government Railways small claims, which was brought down, as I understand, to extend the action of the law to other railways besides the Intercolonial railway and the Prince Edward Island railway. On looking through the statutes I find that in 1910 we passed an amendment to the Exchequer Court Act bringing the Intercolonial and the Prince Edward Island railway under the jurisdiction of the Exchequer Court, but there is nothing in the Exchequer Court Act giving them power to deal with the other railways. I do not know whether you have considered that.

Hon. Mr. LOUGHEED—The Exchequer Court only exercises jurisdiction in cases in which the Crown is interested. Cases against other railways would not come within the jurisdiction of the Exchequer Court.

Hon. Mr. BOSTOCK—Not the Transcontinental?

Hon. Mr. LOUGHEED—Yes, since the Government took it over.

Hon. Mr. BOSTOCK—The Act of 1910 would not extend to the Intercolonial railway.

Hon. Mr. LOUGHEED—I have not looked into that. I will bring that matter up.

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

CONTINGENT ACCOUNTS COMMITTEE.

6TH REPORT ADOPTED.

Hon. Mr. POWER moved the adoption of the 6th report of the Standing Committee on Internal Economy and Contingent Accounts. He said; I desire to call attention to the fact that the expenditure for 1915-16 was $10,000 less than the expenditure for the previous year, and that the estimates for 1916-17 call for $9,400 less than the estimates for 1915-16.

The motion was agreed to.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE.

Friday, May 12, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill No. 91, An Act to amend the Government Railways Small Claims Act.—Hon. Mr. Lougheed.

Bill No. 99, An Act to amend the Exchequer Court Act.—Hon. Mr. Lougheed.

ATLANTIC PARK ASSOCIATION BILL.

REFERRED TO COMMITTEE.

The Order of the Day being called:

Resuming the adjourned debate on the consideration of the amendments made by the Standing Committee on Miscellaneous Private Bills to Bill B2, An Act to incorporate the Atlantic Park Association.—Hon. Mr. Bolduc.

Hon. Mr. POWER—On the question of order, Mr. Speaker, I see that further consideration of this Bill was yesterday deferred for six months. A resolution of the House was adopted finally disposing of this Bill. My contention is that if any hon. gentleman wishes to restore the Bill to the Orders of the Day, he should move to rescind the resolution adopted by the House yesterday giving the Bill the six months' hoist. You cannot go directly in the teeth of a solemn resolution of this House without taking the proper steps to rescind that resolution.

Hon. Mr. BOLDUC—The hon. member for Halifax may be right, but in view of the resolution adopted yesterday I think it is too late for him to raise a question about rescinding the motion. Yesterday the House unanimously adopted the motion which I made to reinstate the Bill, and therefore he is too late to raise the objection.

Hon. Mr. CASGRAIN—I may say that the same thing was gone over by the Senate years ago, and it appeared according to all the authorities that an order can always be reinstated on the Order Paper by a simple motion, even without giving notice.

Hon. Mr. SPROULE—The hon. gentleman from Halifax is about right. If the order had passed off the paper entirely, then a motion would be necessary to restore it, but it was only put forward six months, and still remains on the Order Paper properly until the close of the session, provided it closes before that time. Therefore the motion is not to restore the Bill, but to reach it in another way.

Hon. Mr. POWER—I think the procedure is out of order, but I have so friendly a feeling towards the hon. gentleman from Lauzon that I shall not oppose his motion if it is understood that this is not to be taken as a precedent.

Hon. Mr. BOLDUC—I think the regular procedure would be to ask that the Bill be sent to the Private Bills Committee for further consideration. I move that it be referred to the Committee on Private Bills for further consideration.

The motion was agreed to.

SITTINGS OF SENATE.

Hon. Mr. LOUGHEED moved that when this House adjourns it do stand adjourned until three o'clock on Monday, May 15, and that there be two sessions that day, one at three o'clock and one at eight o'clock.

Hon. Mr. BOSTOCK—Can the hon. gentleman give us any idea of what legislation we have before us?

Hon. Mr. LOUGHEED—I think the only legislation will be the Railway Subsidy Act and the Supply Bill.

The motion was agreed to.

KITSILANO INDIAN RESERVE.

MOTION FOR RETURN.

Hon. Mr. BOSTOCK moved:

That an Order of the Senate do issue for a copy of the special report made by the Royal Commission on Indian Affairs on the Kitsilano Indian Reserve, together with the Order in Council passed on the 28th March, 1916, and all other papers and correspondence relating to the report.

He said: I feel that I ought almost to apologize to the House for bringing up the question of Indian reserves again, because so much time has been taken during the last week with a question referring to Indian reserves. At the same time, hon. gentlemen may feel that it is a question that interests the country and therefore we cannot have too much of it. The question with reference to this Kitsilano reserve is one that very materially affects things in the province of British Columbia, and raises a question that has caused a great deal of discussion between the Dominion Government and the Provincial Government. When the late Government was in power there was a discussion between Sir Richard McBride, as representing the Provincial Government, and the then Dominion Government over the question of the reversionary interests in the reserve in British Columbia. The result of that contention was that the Government appointed Mr. J. A. J. McKenna to look

into this question and see if he could come to some arrangement about it; and some time ago, I think on a motion made by myself, the papers were brought down to this House setting forth the action that was taken at that time. I fear I must detain the House a short time while I read some of the correspondence and the Order in Council that dealt with that matter. The first of these papers is a letter dated October 26, 1912, addressed by Mr. McKenna, the commissioner, to Hon. Robert Rogers, then Minister of the Interior and Superintendent General of Indian Affairs:

The undersigned has the honour to submit the following interim report on his mission to British Columbia.

Pursuant to the commission issued to him by His Royal Highness the Governor General on the 24th May last, the undersigned proceeded to British Columbia and opened negotiations with the Government of that province in respect to the Indian question.

During intervals in the negotiations, he visited different parts of the province and met many representative Indians. His investigations confirmed the opinion, which he had formed from a study of the records, that the great source of Indian disaffection was the provincial interest in lands reserved for Indians recognized by the joint agreement of 1875-6, and, as the country developed and Indian Reserves in certain districts increased enormously in value, asserted more clearly and largely by the province through legislative Acts and otherwise. That agreement was the outcome of discussion respecting Article Thirteen of the Terms of Union, which determines the respective obligations of the Dominion and of the province as to the Indians of British Columbia. The position taken by the province was that the title of Indians to lands reserved for them was a mere right of use and occupancy; that under said article no beneficial interest in such lands was to be taken by the Dominion as guardian of the Indians; and that whenever the Indian right to any such lands or to any portion thereof became extinguished through surrender or cessation of use or occupation or diminishment of numbers, the land reverted, unburdened to the province. The Indians, as they advanced in knowledge of affairs, became aware that they were not regarded as having the same right in reserved lands as Indians in other parts of Canada were recognized as having in lands set apart for them; and without clearly understanding the situation, became, in the measure of their advancement, disaffected by the consequences of the unsatisfactory nature of the Dominion's tenure of their reserves.

The undersigned, therefore, concentrated his efforts to the extinction of the interest in reserves claimed by the province, and to securing for the Indians of British Columbia lands by the same title as that under which lands are held by the Dominion for Indians in the other parts of Canada.

There have been reserved for Indians in British Columbia some seven hundred and fifteen thousand acres of lands. Taking the Indian population as shown by the report of 1911, viz., 21,660, the allotments average about thirty-three acres per capita. There is, however, a very striking inequality of allotment, the per capita allotment in one Indian agency being under two acres, in another, over one hundred and eighty-four. And the difference in acreage of allotment is apart altogether from difference in values of lands allotted.

After several conversations, the agreement attached hereto was arrived at, subject to the approval of both governments.

The undersigned considers the agreement to be in the best interest of the Indians of British Columba, as well as to the public advantage. Under its operation, the interest heretofore asserted by the province in lands reserved or to be reserved for Indians will be extinguished, an adjustment of inequalities of allotment may be affected through the provision that such further lands as are required will be provided by the province in so far as Crown lands are available while no diminishment of existing reserves shall be made without the consent of the Indians, and the Government of the Dominion will be put in a position to pursue a progressive Indian policy in British Columbia.

J. A. J. McKenna,
Special Commissioner.

I want to draw attention to these particular parts of that letter; first of all where McKenna says:

The great source of Indian disaffection was the provincial interests in lands reserved for Indians.

And secondly, where he says he paid special attention, concentrated his efforts to the extinction of the interests in the reserve claimed by the province, and further he says:

Under its operation the interest heretofore asserted by the province in lands reserve or to be reserved for Indians will be extingushed.

That apparently was his opinion of the result of the agreement that he had drawn up with Sir Richard McBride as representing the Provincial Government. The memorandum of agreement is attached to that letter, as are also two Orders in Council passed, one by the Dominion Government and one by the Provincial Government. I desire to read a certain portion of this agreement. The preamble says:

Whereas it is desirable to settle all differences between the Governments of the Dominion and the province respecting Indian lands and Indian affairs generally in the province of British Columbia, therefore the parties above named have subject to the approval of the Government of the Dominion, and of the province, agreed upon the following proposals as a final adjustment of all matters relating to Indian affairs in the province of British Columbia.

And in article 7 of that agreement it is stated:

The lands comprised in the reserve as finally fixed by the commissioners aforesaid shall be conveyed by the province to the Do-

minion with full power to the Dominion to deal with the said lands in such manner as may be deemed best suited for the purposes of the Indians, including a right to sell the said lands and fund, or use the proceeds for the benefit of the Indians, subject only to a condition that in the event of any Indian tribe or band in British Columbia at some future time becoming extinct, then any lands within the territorial boundaries of the province which had been conveyed to the Dominion as aforesaid, for such tribes or bands, and not sold or disposed of as hereinbefore mentioned, or any unexpended funds being the proceeds of any Indian Reserve in the province of British Columbia shall be reconveyed or repaid to the province.

Hon. gentlemen will notice that particular clause: the land is only to go back to British Columbia if the Indians become extinct.

Hon. Mr. LOUGHEED—Or where a new reserve is furnished for them, I suppose.

Hon. Mr. BOSTOCK—I do not read it that way. I take that paragraph to mean that as long as there are any members of the band in existence, the land, or money that the land was sold for, remains in the hands of the Dominion Government, as trustees for the Indians. Some time in April this question was discussed in another place, from the point of view of the amount of money that had been paid on this Kitsilano reserve. I do not propose to deal with that phase of the question, but I want to draw the attention of the House to a statement that was made at that time by a member for Vancouver, in which, in talking about the value of this Kitsilano reserve, he made the statement that the Indians had only riparian rights in regard to that reserve, and that they had no claim that carried with it the ownership from the Crown of the land in the harbour. That becomes an important point in regard to the arrangement that is being carried out now of expropriation proceedings as between the Harbour Board of Vancouver and the Dominion and Provincial Governments. He went on to point out that the value of the reserve depends upon what it may be worth, used as a harbour property. Of course, if the Indians have only riparian rights, it makes a very great difference as to the value of that reserve, and it also, I understand, raises the question as to their rights in other places where reserves have a water frontage. But later, on April 27, of this year, an inquiry was being held in Victoria and the question was taken up about this particular reserve, and Mr. Bowser, the Premier of British Columbia, was examined before a committee of the legislature in regard to the payment of this money. In giving his evidence before the committee he made a statement, of which the following is a report:

Mr. Bowser, in his statement before the committee of the legislature, appointed to inquire into the Kitsilano Reserve settlement, said that some time in March, 1912—I believe the real date was the 17th March, he had telegraphed Hon. Mr. Rogers and Sir Richard McBride wired Sir Robert Borden telling him that the Provincial Government was about to close the deal and that they did not desire any friction with the Indian Department.

Hon. Mr. Rogers replied by letter that he was handing his (Mr. Bowser's) message over to the Indian Department.

From then until June 9 when the money was handed over to the Indians, the Government did not again hear from Ottawa, and it was taken for granted that no objections existed to the transaction.

Later a conference was held at which Sir Richard McBride, Hon. Mr. Bowser, Mr. Peter Byrne, Indian Agent, and Mr. Alexander were present.

Mr. Byrne sent a wire to the Department of Indian Affairs at Ottawa setting forth the terms of the deal that the amount to be paid was $218,750 and that the Indians were quite satisfied with that amount.

It was therefore apparent Hon. Mr. Bowser said that the department of Ottawa was fully aware of the negotiations on April 16 Mr. Byrne sent a letter to Hon. Mr. Rogers confirming his previous telegrams.

In dealing with the point I want to make a statement about this matter that is not very material, except that in the discussion in the House the question seemed whether the department had been made fully aware of what is going on. There seems to be a certain amount of conflict there between Mr. Bowser's statement and the discussion that took place in the House. Mr. Bowser is further reported to have sent a letter to Hon. Mr. Rogers confirming his previous telegrams. And at the end of his statement Hon. Mr. Bowser explained:

That it is the intention to take part of the reserve for harbour development purposes. Arbitration proceedings would be taken with the Harbour Board to fix the value of the land so taken and afterwards the arbitrator would fix the value of the reversionary interest of the province.

And he further went on and said:

The province was bound to be paid the $300,000 at least and he was confident that the arbitration proceedings would fix a much more substantial amount. So the province was thoroughly protected, and the property would become a public utility of great value.

The point I want to draw attention to in regard to this matter is that Mr. Bowser seems to be thoroughly convinced in his own mind that British Columbia has a reversionary interest in this Indian land. I

understand that a special report has been made by the commission which was appointed as a result of this agreement, a part of which I have read to this House, on this Kitsilano Indian reserve question, and if Mr. Bowser is correct in the view he takes it would appear that some change must have been made with regard to the action of the commission from the agreement which was entered into between Mr. McKenna on behalf of the Dominion Government, and Sir Richard McBride on behalf of the Provincial Government. As far as the relations between the province and the Dominion are concerned in this matter, it is very important, and will have a great effect on the question of how much the province is going to get out of these arbitration proceedings which I understand are now under way as between the Harbour Board of Vancouver and the Dominion Government. I want further to point out to the House that in the Order in Council that was drawn up November 27, 1912, and the order of the Legislative Council on December 31, 1912, agreeing to the appointment of this commission, the terms of the Order in Council are as follows:

> The Minister of Justice therefore advises that the approval of the agreement should be subject to a further provision which should be accepted by the Government of British Columbia before the agreement can become effective, providing that notwithstanding anything in the agreement contained the acts and proceedings of the commission shall be subject to the approval of the two governments, and that the governments agree to consider favourably the reports, whether final or interim of the commission with a view to give effect, as far as reasonably may be, to the acts, proceedings and recommendations of the commission, and to take all such steps and proceedings as may be reasonably necessary with the object of carrying into execution the settlement provided for by the agreement in accordance with its true intent and purpose.

And the executive council agrees to that arrangement. Now, I should like to know, if my hon. friend can tell me, whether there has been any alteration in this agreement which justifies Mr. Bowser in his attitude in regard to that question of the reversionary interests. I think I have pointed out to the House that this question of the title of the province was made very clear in the agreement, that this land, or the money, could only revert to the province at the time the band was entirely extinguished. Now, this particular reserve is one of three, if I understand rightly, belonging to this particular tribe of Indians. The claim was made that the Indians only used this as a sort of temporary camp-ground, and that they were not hurt in any way by arrangements made to get them off the reserve. But supposing that to be the case, the money that is paid for the reserve becomes part of the trust fund and belongs to the Dominion Government as trustees for the Indians. Then I further want to ask the Government to very seriously take into consideration the question of any dealing with the report of this commission, which I understand will probably be brought before the Government about the middle of this month. I think the Superintendent General of Indian Affairs stated in the House that he expected to have the final report of that commission about the middle of May; but inasmuch as this Order in Council agrees that the acts and proceedings of the commission should be subject to the approval of the two Governments, nothing should be done about the report at the present time, for the reason that the existing legislature in British Columbia will expire on the 1st of June, and it will be necessary in that case for them to have an election in British Columbia before very many weeks or months are over, and as hon. gentlemen may be aware, there has been somewhat of a change of feeling in the province of British Columbia as to the representatives they want in the provincial House. Therefore, I think that any approval of the acts of the commission, should not be made by the Provincial Government, which has only some ten or fifteen days longer to remain in power and carry on the affairs of the country. This whole question of the reversionary title to the reserves is a very important one, and one that requires a great deal of very careful consideration, from the fact that it not only affects the question between the Provincial Government and the Dominion Government, but also the question that is exercising the minds of the Indian people of British Columbia very much. As hon. gentlemen may be aware, there is a much larger question outside of this particular point that I am dealing with to-day, covering the whole question of the Indian title in British Columbia, and I submit this is a matter that should not be dealt with in a hurry, but should be given very careful and strict consideration before any decided action is taken.

Hon. Mr. LOUGHEED—I need not say to the hon. gentleman that the question of the title to Indian reserve lands in British Columbia has been for a great number of years the subject of very much controversy. I do not understand that the docu-

ments to which my hon. friend has referred this afternoon settle the question of Indian title. A commission has been examining into this question between the two Governments for, I think, the last couple of years or more. With reference to the Kitsilano reserve, my hon. friend is not justified in leaving the impression that the Federal Government is in any sense a party to the transaction which took place between the Provincial Government and the Kitsilano Indians, any more than the late Government were a party to the transaction which took place as to the Songhees reserve which was disposed of similarly. It seems to me that if the reversionary right vests, as it undoubtedly does, in the Provincial Government upon the extinction of the Indians, that the provincial authorities would have the right to negotiate with the surviving Indians of any particular tribe in regard to the life interest which they have in the reserve. It would seem to me to be an illogical position to take, that upon the extinction of all the Indians with the exception of one, the Provincial Government could not deal with that one, or could not deal with a greater number as to the reversionary rights. After all, it seems to be but a life interest which they have in the reserves; and any criticism of an adverse character which has been directed towards the British Columbia Government in acquiring the Kitsilano reserve should be considered in the light of the provincial authorities having the reversion in that particular reserve, and having simply purchased from the Indians their life interest in it. This Government not only refused to assent to the transaction which did take place, on the ground, amongst other reasons, of the inadequacy of the price paid, but has since taken steps toward having the Harbour Commissioners of Vancouver expropriate this particular property with a view to realizing from it a very much greater amount than they realized out of the sale of the property to the British Columbia Government. By reason of these expropriation proceedings, the Indians will benefit to a very substantial extent. As to the report of the commission which is shortly expected to be made, it is to be hoped that it will result in a satisfactory arrangement being entered into between the two Governments as to the ultimate disposition of all these reserves. Inquiry will be made, doubtless, as to the respective interests of the Indians and of the Provincial Government in the reserves, as well as the possibility of settling many of the controversies or difficulties which have arisen by reason of the Indians being upon reserves in localities where it is desirable that those reserves should be surrendered and other lands given to the Indians. I have no doubt that when that report is prepared it will be brought before Parliament, and the most ample opportunity will be given to all concerned for fully discussing it with a view to arriving at a satisfactory determination of the whole subject.

Hon. Mr. BOSTOCK—May I be allowed to say that this agreement I have here is an arrangement, of course, between this Government and the Provincial Government.

Hon. Mr. LOUGHEED—But I do not understand anything in that to be necessarily repugnant to the statement which I have made, that there is a reversionary right in the provincial authorities, and the right of the Indians can be extinguished by sale or by a mutual agreement between the Indians and the provincial authorities. Because the words "sale of the reserve" are used, it does not necessarily follow that they must be interpreted to mean that the arbitrary condition can only arise of the provincial authorities having an interest in the reserve upon the absolute extinction of the last member of the tribe.

Hon. Mr. BOSTOCK—No, but perhaps I did not make myself quite clear. The Premier of British Columbia apparently takes the stand that, arising out of the arbitration, the money that is to be paid to the province is to be paid for the reversion of the title. As I understand, all the money coming out of these expropriation proceedings will be paid over to the Dominion Government as trustees for the Indians.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—And therefore, according to that, the Premier of British Columbia was hardly correct when he made the statement that the province was bound to be paid the $300,000 at least, and he was confident that the arbitration proceedings would fix a much more substantial amount; so the province was thoroughly protected, and the property would become a public utility of great value.

Hon. Mr. LOUGHEED—No doubt about that. My hon. friend will observe that the Federal Government, being a trustee for the Indians, and in whom the legal estate is vested, any expropriation proceedings which may be taken resulting in the payment of money must finally be had with

the Dominion Government, so far as the payment of the money is concerned, because the title is really vested in the Federal Government. The difficulty in the case of the Kitsilano reserve to-day is that, notwithstanding the purchase made by the Provincial Government, the title has not passed, or the legal estate in the reserve has not passed, from the Federal Government to the provincial authorities.

The SPEAKER—I think this motion should be turned into an address, as there is an Order in Council asked for here.

Hon. Mr. BOSTOCK—Yes, with the permission of the House may I be allowed to change this motion in that respect.

The SPEAKER—The change is allowed.

The motion was agreed to.

The Senate adjourned until Monday, 15th instant, at 3 p.m.

THE SENATE.

Monday, May 15, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE SUPPLY BILL.

INQUIRY.

Hon. Mr. CLORAN inquired:

Is it the intention or design of the Government to present to the Senate the Supply Bill with any Bill or Measure incorporated therein or attached thereto?

2. If so, what Bill or Measure?

3. If so, is it for the purpose of depriving the Senate of its constitutional right to amend all Bills or Measures apart from Money Bills or Measures?

He said: The hon. leader of the Government must have seen this inquiry on the Order Paper for the past two days. I should like to know if he is in a position to give any answer thereto?

Hon. Mr. LOUGHEED—The inquiry is ambiguous. The Supply Bill is in itself a Bill or measure, and I cannot conceive of a Bill within the Bill.

Hon. Mr. CLORAN—That is all I want to know. That is enough.

Hon. Mr. LOUGHEED—The second inquiry is "If so what Bill or measure?" Simply the Supply Bill. Then the third question is "If so, is it for the purpose of depriving the Senate of its constitutional right to amend all Bills or measures apart from money Bills or measures?" I may say that the House of Commons does not possess the power to deprive the Senate of its constitutional rights.

Hon. Mr. CLORAN—I will answer that. The House of Commons has a right to discuss a Bill within the Supply Bill, which right the Senate does not possess. That is the point of difference between us.

Hon. Mr. LOUGHEED—The Supply Bill will come down.

Hon. Mr. CLORAN—I have the answer from the Government that there is no Bill within the Supply Bill. I think that is quite satisfactory.

EXTENSION OF LIFE OF PARLIAMENT.

INQUIRY.

Hon. Mr. CLORAN—Before the Orders of the Day are called, I have one or two suggestions to make to the Government. We are now on the eve of prorogation, and the Government have not yet vouchsafed any information to Parliament in regard to the Extension Bill, which the Parliament of Canada passed some three months ago. This is a vital question, one of supreme importance to the electorate of the Dominion, and the Parliament of Canada is entitled to any information which the Government has. I am prepared to accept from the minister who represents the Government a statement that the Government has no information. I believe that to be the fact. I want to know if the hon. leader has any information. If he has none that settles the question.

Hon. Mr. LOUGHEED—I have no further information for my hon. friend than the information I gave him when he asked the question some time ago.

DEPARTURE OF THEIR ROYAL HIGHNESSES.

Hon. Mr. CLORAN—In the public press of the country it has been announced that His Royal Highness the Governor General and Her Royal Highness the Duchess of Connaught will, within a brief period of time, leave the shores of Canada for their home in England. After spending five long years in Canada, away from their home, they are entitled, at this period of their life, to return to their native surroundings. To that the people of Canada could have no objection. His Royal Highness has served the people of Canada probably as no other Governor has served it since Confederation.

He has endeared himself to the hearts of all, to the well-to-do as well as the poor, the progressive as well as the slow. If His Royal Highness is about to take his departure before Parliament reassembles, which will not be for eight, or ten or twelve months, I would suggest to this House, through its hon. leader, to prepare an address expressing appreciation of the services of Their Royal Highnesses. Of course as far as this House is concerned, we are masters of our own action, and I will ask the hon. Senate of Canada to prepare an address, if His Royal Highness has decided to leave the shores of Canada before the next session of Parliament. It would be a tribute to His Royal Highness and his family which we owe them. Democratic as we are, we are glad to see that scions of the old royal family of England can be as democratic as the most democratic of our people. On these grounds the people of Canada have every reason to be satisfied with him during the past five years that he has occupied the position of Governor General of Canada. I humbly submit the matter to the consideration of this hon. House, because we may take the statement as semi-official that His Royal Highness and the Royal family are to leave the shores of Canada before the next meeting of Parliament. The Senate cannot do anything more appropriate than give expression to our loyalty to the Crown by preparing an address to His Royal Highness and family before they leave.

THE PRINTING OF PARLIAMENT.

MOTION.

Hon Mr. ROCHE moved the consideration of the third report of the Joint Committee on the printing of Parliament.

Hon. Mr. SPROULE—When this order was called last week I desired to say a few words upon it, but the matter was allowed to stand over until to-day. At this late stage of the session it would appear unnecessary to take up the time of the House with any lengthened remarks on the subject.

Hon. Mr. CLORAN—I do not wish to interrupt the speaker but I want to call the attention of the House to the fact, and he will appreciate what I say, that the Chair has declared this motion carried.

Hon. Mr. SPROULE—The consideration of it has been declared carried, if I understood it as put from the Chair; therefore it is quite in order for the House to consider it. On looking over the report I notice that it practically contains the same data and the same information on the same subject as I had collected over a year ago to present to the Joint Committee on Printing. I have in my hand a copy of the data which I had prepared for the committee last session, but every time I made an effort to get the committee together, I unfortunately found that there were always many members, either from the Senate side or from the Commons side, absent, or the Chairman, that I was unable to get a meeting, and therefore it had to be left over. I see that in replying to this the King's Printer submits a memorandum beginning:

> It is assumed that the object of the query submitted to the Department of Public Printing and Stationery is to secure a summary of the views of the department:
>
> 1. As to the means of reducing the original cost of parliamentary and departmental publications.
>
> 2. As to the means of avoiding waste and cheapening distribution.

He goes on to say, with reference to this matter, that he presumes it will be satisfactory if he sends what was prepared in March last, a copy of which is attached hereto, and he sent that copy. It contains practically the same information, and I am pleased to say that in so far as the subcommittee, which I understand was appointed by the committee to deal with this question, have dealt with it, their recommendations are very appropriate.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. SPROULE—I think they will result in very much good if followed out.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. SPROULE—In connection with that committee's work, at the last meeting of the Joint Committee, I notice from the report of the Commons' side of it, that they have been successfully using the pruning knife and recommending what should and should not be printed of the papers which passed the House of Commons. One of the most important, and yet one of the most difficult things that had to be contended with was that the committee could rarely be got together from time to time to consider what should be printed for Parliament and what should not. Another very unfortunate habit which I found very prevalent in the other Chamber, was that whenever some question was engaging the attention of the House—it might be a report from some commission, or on some other subject that was considered specially valuable—

the apparent necessity for urgently getting it before the public was such that some member would arise and move that the rule which governs printing in that House be suspended, and this report forthwith ordered to be printed. Then some one, who usually wanted a very large distribution of it, would recommend the printing of a large number of copies. As a general thing, out of good nature, the House consented and let it pass; usually there was no analysis of the report to decide whether it was wise or unwise to print and distribute such a large number of copies; it just passed and that was the last heard of it, though it involved a heavy expenditure. Afterwards, in very many cases, it was found after it had been printed and distributed that members never used it and it rarely ever got out amongst the people of the country. The result was, as I found on inquiry, that tons of those reports were stored away in the basement of the House of Commons, and no person, member or any one else, could be found who desired to distribute them. But they all cost money for the composition, paper, printing and everything else. Now, that I regard as the fault of the House itself, and of the Printing Committee, which was not discharging its functions as assiduously as, in my judgment, it should have done. The memorandum which I have before me goes on to say that on several recent occasions public commissions or committees, both in Canada and the United States, have reported on this subject. In January 1906, there was one; in 1908 there was another; in 1909 another; in 1911 another; in 1912 another; then there was a Royal Commission. After that there were some other reports:

> The conclusions of these American and Canadian reports cover the subject fully and well, are very plain, and based on findings of common practices.

What are they?

> Excessive expenditure in public printing may be classified under the following heads:
> 1. Excessive cost in the execution of printing work in the Government Printing Office.
> 2. Excessive size of documents and printing of unimportant documents for Parliament or the departments.
> 3. Excessive editions of such publications.

Then he goes on to comment on those—the cost of printing, the excessive size and the excessive editions of publications; and he goes over exactly the same ground which I notice is before us today, and gives the conclusions that they reached, with all or nearly all of which, I frankly say after going over it carefully several times, I entirely agree. There are other lines which they have not dealt with which I think might very well be added, where additional savings could be effected beyond those which have been made. I was confronted with another difficulty in my endeavour to ascertain where the authority lay for handling and dealing with these subjects. It took a long time to get that, and I found it almost impossible for any one to tell me. At first the King's Printer gave part of it, some departments gave part and then the Secretary of State, to whom I applied, gave part, and I got them to collate, and add as an appendix the Orders in Council amending the Order in Council of January 15, 1893. That was a most important Order in Council setting out what should be printed and distributed. It is all concisely set out, so that whenever it is desired to deal with any portion of the subject, it is an easy matter to see where the authority lies and to take up the matter then with much less trouble and with greater intelligence than you could possibly do otherwise. Because, I found that while the Secretary of State wrote to me, and while I wrote to the department and the King's Printer, for a long time, I was unable to ascertain where the authority lay which ordered the distribution of Hansard, to whom it should be distributed, the number of copies issued, and all these things, and it was the same way with the reports of the various departments. I could not find for a long time where the authority lay, but ultimately I found it. With reference to some of the recommendations made, I am sorry that this matter nearly always comes up so late in the session that it is shunted over to another session, with the result that they pass out of the memory of those who had dealt with the subject the previous year. The subject is entirely too important to be dealt with in that way either by this House or the other Chamber. We ought to be a committee of business men who would take up any important question in any line of business, and deal with it intelligently, so that the result might be for the benefit of the country and for the economy of expenditure. In this particular line there is such evidence of extravagance and unnecessary expenditure that it has always been a mystery to me why it is allowed to go on from year to year. When the reports go down to the Printing Bureau, if they were edited, thousands and thousands could be saved. A couple of competent editors should be employed to edit these reports,

not to the disadvantage of the country or the departments, but for the good of the country, and for economy in the expenditure of public money. Then there are many other lines which might be included. I may give one which I brought up several times. It does not refer particularly to this House, but to the other; still it costs money, and is one of the questions dealt with by the Joint Committee—that is, printing the analytical index of the House of Commons Hansard. I have looked over that analytical index several times, and submitted it to several members of Parliament, and have yet to find more than one or two of them who knew of that publication. It requires two officials to prepare it, one English and one French. Then it is translated, then compiled, then set up in type and published, and afterwards proof read. When finished it is bound, and I venture to say that in the House of Commons to-day not one member out of every fifty has ever referred to that analytical index to hunt up any subject. It is most inconvenient because it is never attached to the volume of Hansard you take up. You are obliged to hunt over volume after volume to get the analytical index of that year, and when you come to it, you are likely to find that it is two years, sometimes three years behind, and absolutely no better than the index contained in the regular volume of Hansard of that same year. In my judgment that is practically so much money thrown away.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. SPROULE—I have tried, but failed to get that stopped. Some parties interested in it, usually the men doing the work, would coach some of the members in the House of Commons who objected to its being stopped some years ago. The Printing Committee did make a recommendation that it be discontinued in future, but it was near the end of the session, members wanted to get away, and objection was raised on behalf of some of the men doing the work and the result of it was, I believe, that a motion was made, I forget whether by Sir Wilfrid Laurier, who was then in power, or one of his friends, that it be allowed to remain for the present, and it has remained ever since. That is going on from year to year. It cost about $1,500 to compile and translate it.

Hon. Mr. CLORAN—More than that.

Hon. Mr. SPROULE—That is the translation and compiling. Last year, on account of the desire for increased economy of expenditure in connection with the Government, it was my duty as Speaker to give instructions that the analytical index should not be gotten out, but the parties went on with the work. It could not be properly paid for, because I had given instructions both to the Clerk of the House and the King's Printer, and any other interested authority, that this index must not be compiled for last year. If they have not been paid they are trying to get payment and believe they will get it. That is a very unsatisfactory state of affairs. With regard to the expenditure of money I find in many branches of the House the trouble is that it is not the proper authority who authorizes the expenditure, but some one else who certifies to it, and the money is paid, and that is the last of it. That is very improper, and that is what was being done in the instance I have mentioned. I have not heard anything of it during the present session, but it was one line where a large saving could be made, but has not been made, because of the fact that either the Printing Committee or the House do not deal with it as I think they should. Then there is needless expenditure in several other lines. Take the distribution of books all over the country. They are sent to libraries and newspapers, and given to the people who sell them to raise money to send to the missionaries. I have been told time after time by publishers of small papers, that they have been sending these documents away year after year for a long time. They are absolutely of no use to them, yet they get two or three volumes at times, whereas they are supposed to get only one copy. One would come perhaps from the department, another from the Printing Bureau, and another from somewhere else. They have been piling up, and there is trouble in getting rid of them. That has been going on from year to year and should not be allowed to run much longer. I have not time to go over the report of the committee with sufficient care to find whether they are recommending all that was recommended by me, but I think they are. My recommendation was that either inside the Printing Bureau or in very close proximity to it, a place should be provided where all matter is dumped into the office, the Post Office Department should handle the distribution at their expense and not at ours. We have been paying for rigs running back and forward all the time between the Printing Bureau and the House

of Commons, and between the Printing Bureau and the Senate, and between the Printing Bureau and the Post Office carrying this stuff back and forth all the time in great cartloads, involving an expense from year to year that seemed to be absolutely unnecessary. If these reports were dumped into the post office, as I suggest, they could be immediately mailed from there. A few copies could be kept in the House of Commons, and when there was a requisition for a copy of the report at once, the Distributing Office could furnish it and that would be the last of it; but when application was made for any of these reports, the Bureau could supply it directly, instead of keeping three or four men in the House of Commons in the Distribution Office occupying three or four rooms to do the work. There is a demand from year to year for larger rooms to accommodate the piles of books stored away, when they should not be there at all. That, I think, can be very readily done away with, and a very substantial saving effected. There are several other things in connection with it that I should like to refer to, but it is too late in the session to discuss the subject thoroughly. Those of us who may be here early next session, jointly with the Committee of the House of Commons on Printing, should meet and devise some plan whereby we can save unnecessary expense in this direction. I hope it will not be delayed until the end of the session, when it is too late to take any action, with the result, as it has been in the past, of shunting it over for another year, perhaps again to be forgotten.

Hon. Mr. CLORAN—I have listened with a good deal of interest to the statements made by the hon. senator from Grey. They should be published throughout the country, and no doubt would prove interesting to the taxpayers of Canada. He has struck a very bad leakage in the administration of public affairs in Canada—a very useless one, whereby hundreds of thousands of dollars of the taxpayers' money are spent for a purpose never realized, for a thing never attained. The purpose is to enlighten the public as to what is going on. The Parliamentary documents do not accomplish their object, because out of the hundreds of thousands of volumes printed, most of them are stored in the vaults of public buildings, or go to newspapers or individuals, to be finally dumped in the swill barrel. What the hon. gentleman has said is, unfortunately, only too true. His request—I hope he will make it a demand—that a joint committee of the two Houses be appointed, is a practical way to deal with the matter. The committee should consist of three to five members who are business men, and with more or less experience in printing. They should supervise the printing and could save the country hundreds of thousands of dollars now expended unnecessarily. We cannot do it this session, as the hon. gentleman has pointed out.

Hon. Mr. POWER—Why not?

Hon. Mr. CLORAN—Well we could, but we are to die in about two or three days, and we will be extinguished on the 1st of October.

Hon. Mr. DENNIS—The report of the committee before the House fully provides for the suggestions the hon. gentleman is making.

Hon. Mr. CLORAN—Then I am simply backing the report.

Hon. Mr. DENNIS—Yes, very eloquently.

Hon. Mr. CLORAN—I hope the hon. senator who brought this matter before the House will be in his seat next session of Parliament, full of life and vigour to lead on the reform. I think he is quite competent to be the head of the committee, from the standpoint of ability and talent, and the further point that he is interested in the public welfare and does not want to see public money squandered. These are two essentials in any man who takes charge of a public duty. As far as I am concerned, I know a little about printing, having been in the printing business for six or seven years. I know what wilful waste is, and it sometimes leads to woeful want. You may call it a small reform, but before you are perfect in big things, be perfect in small things. If you are not perfect in small things, then you are liable to allow big things to run away. If you squander a dollar you may lose a million if there is nobody to check you. Be perfect in small things, and then you will have a chance to regulate big things. The bigger the expenditure the less attention the people pay to it, but if you draw their attention to this kind of reform, and demand of the administrators careful and honest management, they will exact from the same administrators carefulness in the expenditure of large sums. The principle laid down by the hon. gentleman from Grey is a sound one, and I hope he will be able to lead the reform next session.

Hon. Mr. SPROULE—I had intended to give a few figures. In the report of the Royal Commission of 1914 appears the following paragraph:

5. The space occupied by the Records in the various public offices.

The accompanying table shows at a glance the space taken up by the Records in public departments:

	Rooms.	Contents. Cu. ft.	Drawers. No.	Shelves. Lin. ft.
East Block. ..	59	308,810	7,178	22,633
West Block. ..	74	353,473	13,662	7,538
Parliament bldg.	22	66,594	2,082	10,808
Langevin and other bldgs..	283	901,137	69,950	86,808
Grand total	438	1,629,014	92,872	127,219

That means over 24 miles of shelving to store these books away.

Hon. Mr. CLORAN—First class material for German incendiarism. There is one report coming up some time before Parliament and that is the report of the Davidson Commission. The commission has been on for years, and I hope to God its reports will never be printed. It will take 25 shelves a mile long to carry them.

Hon. Mr. POWER—The House is under an obligation to the hon. gentleman from Grey for the pains he has taken in dealing with this very important subject. I felt when he was appointed to the Senate that the appointment was a good one. He is a business man, and his experience in the Chair of the other House has fitted him peculiarly for helping efficiently in the discharge of the business of this House. I think that the hon. gentleman labours under some misapprehension with respect to the position of this report. This same report of the Joint Committee was presented in the House of Commons on Saturday, and it is to come up for final disposal to-morrow. As I understand, those who are in favour of the reform in the House of Commons are prepared to take action at once, and I do not see any special object in postponing the reform. The leader of the Government the other day, when we had this matter before us in connection with a notice given here, was good enough to say that if there was a joint committee of the two Houses and that committee made representations, then the Government would be in a position to act. Now that is just the position in which the matter stands. The Joint Committee on Printing had this subject under consideration. they referred it to a sub-committee and the sub-committee made a report to them. The committee submit to the two Houses the result of their consideration, with a recommendation that the reforms they suggest be carried into effect. I do not see any earthly good object to be gained by postponing action.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—If we adopt this report, then we do our duty, and I assume that the House of Commons will also adopt the report when it comes up to-morrow. I do not propose to go over the ground so thoroughly dealt with by the hon. member for Grey, but there are just a few points in the report to which I wish to direct atteention. The committee state that they have

Made careful investigation and inquiry, and after referring the matter to a sub-committee for further investigation, beg leave to report as follows:

Now, the very first paragraph in the report is one calculated, I think, to startle hon. gentlemen:

The Committee desire, in the first place to call attention to the great increase in the cost of Parliamentary and departmental printing in recent years. For instance, the expenditure in 1895 was $330,627. In 1915 this had increased to $1,807,390.

Practically the expenditure was six times as great in 1916 as it was in 1895, and there was no complaint in 1895 that we did not have enough public printing. Then I would call attention to the next paragraph. They recommend:

That all distribution be made from the office of the King's Printer, as provided by the Act constituting the Department of Public Printing and Stationery (Chapter 80, R.S.C.).

That all departmental mailing lists be sent to the Distribution Branch of the Government Printing Bureau, and that these lists be revised annually by the Distribution Office. This should be done by sending out reply cards to all individuals on the lists—for any class of Government publication. In the event of no response within a specified time, the name or names to be dropped.

That is substantially what is advocated by the hon. gentleman from Grey; but there is just one point in connection with that to which I think attention should be called. Apparently the committee were disposed to think that each particular blue-book should be dealt with separately. Now, I think it would save a great deal of trouble and expense if the King's Printer prepared a tabular statement setting out all the returns that will be printed or are liable to be printed within the coming year, and request that the gentlemen who are entitled to re-

ceive these publications should indicate what they desired, and if they desired some that they should indicate how many.

Hon. Mr. DENNIS—I think that is provided for further down in the report.

Hon. Mr. POWER—Then there is another.

Attention is called by the Committee to the enormous increase in the number of illustrations in annual and special reports. Many of these illustrations are of no value. It is suggested that only such plates be incorporated in parliamentary blue-books as are necessary for a proper understanding of the text.

Hon. gentlemen will probably call to mind the fact that in various reports, including the report of the Commission on Conservation, you get illustrations representing simply wilderness scenes in remote parts of the country, that convey no information and are of no value. Then the report contains this recommendation:

The Committee recommends that the scope of the monthly Agricultural Gazette be extended by incorporating with it Seasonable Hints and small bulletins now issued by the Department of Agriculture in leaflet form in order to give them permanent value, and that the Gazette be distributed free to all Canadian farmers who apply for it. This could be accomplished without much additional cost, by dropping the Bulletin of Foreign Agricultural Intelligence, much of the information contained in which is of little practical value to the Canadian farmer. The best features of the Bulletin could be incorporated in the Agricultural Gazette, which should be published in cheaper form. The Bulletin of Agricultural Intelligence has been in existence for over five years and costs annually about $9,400.

Now I quite approve of the abolition of the Bulletin of Agricultural Intelligence, and I think the joint committee might have gone further and recommended that the Agricultural Gazette also be discontinued. If hon. gentlemen search their memories they will find that there is very rarely anything in the Agricultural Gazette which is of practical value to the farmers of this country. With respect to the way in which this reform could be carried out, I respectfully make this suggestion: The Government has, as Assistant King's Printer, a gentleman who has had large experience in a literary way as a newspaper man and as concerned with printing, and supposing this report should be adopted, if the Government took this report and put it in the hands of Mr. Cook, with instructions that he is to carry out the recommendations of the committee, I am satisfied that next session we should have a very much better condition of things than we have at the present time. Mr. Cook is a gentleman of such ability and so much experience and knowledge in connection with this matter, that we would be able really to avoid the necessity of any Royal Commission or any further committees.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—There are a number of things that one might call attention to but I shall not. There is one point which deserves some consideration:

The departments only pay for the number of copies which they order in excess of the quantities fixed by the Order in Council. The number of copies ordered by them under the authority of Orders in Council (even though printed exclusively for them and until now distributed by them) are charged against the parliamentary appropriation voted to the Department of Public Printing and Stationery under the appellation of "Miscellaneous Printing."

It seems to me that those charges should be made against the several departments so that the public would know what the several departments were spending in the way of printing. As it is now, there is a perfect stream of publications—yearly, monthly, weekly—coming from the departments, particularly from the Department of Trade and Commerce and the Department of Agriculture, which I think ought to be cut off.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—Now, this committee endorse the recommendations made by the United States Committee in 1906:

(a) Annual reports should be confined to concise accounts of work done and expenditure incurred during the period covered by the report, with recommendations relating to the future, including plans for work about to be undertaken.

(b) Contributions to knowledge in the form of scientific treatises and general discussion have no place in an annual report. Observance of this rule would, they say, exclude an immense quantity of matter from annual reports as how printed. (And the committee here point out the tendency of departments to have the cost of their printing charged against other appropriations than their own, which gives further ground to our previous remarks about "Miscellaneous" appropriation.)

(c) Illustrations in annual reports should be excluded, except maps or diagrams indispensable to the understanding of the text, views of monuments begun or erected during the period covered by the report, etc.

(d) Inserted material written or compiled by persons not connected with the reporting office, and biographical and eulogistic matter relating to the past or present personnel of the office, should be rigorously excluded.

(e) The reports of officers who do not report directly to the head of an executive department should not be printed, but may be summarized in the reports of their head officers, etc., etc.

This is the law with respect to Public Printing and Stationery.

Chap. 80, R.S.C., Sec. 5. The department shall be charged exclusively with the following duties in relation to service required for the Senate and House of Commons and the several departments of the Government.

(b) The purchase and distribution of all paper, books, and other articles of stationery of whatsoever kind, except books which are required for the Library of Parliament, etc.

Sec. 22, ss. 2. The Superintendent of Stationery shall also have charge of the sale of all official publications of the Parliament and Government of Canada, which are issued for sale, as well as of the distribution of all public documents and papers to the officials and other persons who are entitled to receive the same without payment.

Then the last extract I shall read is this:

Attention is only drawn to this peculiar situation for the purpose of pointing out that if the central distribution is to be considered and recommended as the actual and best remedy against the waste of printed publications, and the most effective means of cheapening distribution, no legislation need be resorted to carry it into effect.

I commend that paragraph to the hon. leader of the Government. Then:

It is already provided for, and never, at any time, in our statutes, since the institution of the Department of Public Printing and Stationery, was it contemplated that the actual work of distribution should be carried by departments.

I do not propose to add anything to what has been so well said by the hon. gentleman from Grey and what was said in the recent discussion in our House, but I have the honour to move, seconded by the Hon. Mr. Thompson that this report be now concurred in.

Hon. Mr. THOMPSON—I have listened to quite a lengthy presentation of that report in another place, and I have heard it now three times presented, so that I am quite conversant with what it contains. The only valuable statement I heard in the other House was from the Chairman, that if the report were adopted and put into force he was satisfied it would save $500,000.

Hon. Mr. DOMVILLE—How much?

Hon. Mr. THOMPSON: $500,000.

Hon. Mr. DOMVILLE—Well, well, that would take us out of bankruptcy.

Hon. Mr. CLORAN—We are spending a million too much.

The motion was agreed to and the report was concurred in.

The Senate adjourned until 8 o'clock this evening.

Hon. Mr. POWER.

SECOND SITTING.

The SPEAKER took the Chair at 8 o'clock p.m.

Routine proceedings.

ST. PETER'S RESERVE BILL.

Hon. Mr. LOUGHEED moved that Bill (67), "An Act relating to St. Peter's Reserve," be placed on the Orders of the Day for consideration in Committee of Whole at the next sitting of the House.

The motion was agreed to.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE.

Tuesday, May 16, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

VOLHOFFER DIVORCE PETITION.

FEES REFUNDED.

Hon. Mr. RATZ moved:

That the fee paid upon the petition of Rodolf Vollhoffer, praying for a Bill of divorce, be refunded to the petitioner, less the cost of printing and translation.

Hon. Mr. POWER—I am not proposing to oppose the motion, but I wish to call attention to the practice that has grown up recently, almost as a matter of course, of refunding fees in these cases. Formerly it was a very exceptional case in which the fees were ordered to be refunded, and the $200 paid when the petition is presented, really do not cover the expense involved to the Senate. I simply wish to indicate that if I happen to be here another session, I shall oppose these motions unless the extreme poverty of the applicant is alleged, or some such reason as that given. I do not see why the Senate should be spending its money for these suitors, and then refunding the fee paid by the petitioner.

The motion was agreed to.

THIRD READING.

Bill No. 8, An Act respecting the Niagara, St. Catharines and Toronto Railway Company.—Hon. Mr. Watson.

GOVERNMENT RAILWAYS SMALL CLAIMS ACT AMENDMENT BILL.

AMENDMENT CONCURRED IN.

The Order of the Day being called:

Consideration of the message from the House of Commons disagreeing to the amendment made by the Senate to Bill 91, "An Act to amend the Government Railways Small Claims Act."

Hon. Mr. LOUGHEED—I move that the Senate does not insist upon its amendment. This Bill was discussed at some length on the second reading when it was before the House in its committee stage. As hon. gentlemen will doubtless remember, the amendment made at that stage consisted of a clause making the Bill retroactive. Practically the same amendment was moved in the Commons and for the reason stated when the amendment was made here, it has apparently been refused by the Commons. I need not repeat the argument or statement then made.

Hon. Mr. MURPHY—Like the leader of the Government, I need not repeat the arguments which I made in support of the amendment, which was concurred in by the large majority of the House. I need only say that the amendment was, to my mind, reasonable, and designed to redress a grievance and an injustice under which several claimants in my province laboured. The amendment is not strictly the same as the amendment moved in the House of Commons. The amendment in the House of Commons took in not only the Prince Edward Island railway, which was the intention of the Act in the first place, but also took in the Transcontinental and the ferries. The Senate amendment, moved by myself and seconded by the hon. member for Prince, only declared what was the original intention of the Act.

Hon. Mr. LOUGHEED—Yes; I overlooked that.

Hon. Mr. MURPHY—And incorporated the fact in the statute making the law, which had been overruled by the Interpretation Act bearing on the Intercolonial railway. Now, while I claim it would be only just and right that that amendment should have been accepted by the Commons, I am not disposed to insist and throw the Bill out altogether, as I feel would be the action of the large majority of this House if it were insisted on; and as half a loaf is better than no bread, I feel that we are compelled—although compelled by our own good will— to concur in what the Commons has done.

Hon. Mr. POWER—I do not propose to do more than make one remark. The hon. gentleman who has just sat down said that the amendment was reasonable. When it is stated that the great majority of the Senate concurred in the amendment, there is no doubt that it was a reasonable one.

Hon. Mr. MURPHY—Hear, hear.

Hon. Mr. DANIEL—Hear, hear.

The motion was agreed to.

JUDGMENTS OF THE SUPREME COURT.

On the Order of the Day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Casgrain, seconded by the Hon. Mr. Edwards :

That, in the opinion of the Senate, a judgment of the Supreme Court of the Dominion of Canada, when unanimous, should be final except in constitutional cases.—Hon. Mr. Edwards.

Hon. Mr. CASGRAIN—The Hon. Mr. Edwards has moved the adjournment of this debate from day to day at my request, knowing that it was my privilege, as the proposer, to conclude this debate. If any other members of this House would like to speak now, I shall give way; if not, I should like to conclude this debate. I have put it to one side on many occasions.

Hon. Mr. DAVID—Does the hon. gentleman intend to move its adoption?

Hon. Mr. CASGRAIN—Well, I should like to get through with my remarks, and then see.

Hon. Mr. LOUGHEED—He will see whether he will or not.

Hon. Mr. CASGRAIN—I crave the indulgence of this House because I have devoted a great number of hours, since I last spoke on this subject, to studying and reading up this case. I have been fortunate enough also, to have had put in my hands documents which I shall place before this hon. House. I am informed by very high authority indeed that perhaps another copy of these documents is not to be found in this country. Therefore, it may be of interest to this House to listen to the few remarks I may make as to the wisdom of restricting, if not abolishing entirely, further appeals to the Judicial Committee of the Privy Council. It may not be generally known to all the members of this House that when, in 1875, the Supreme and Ex-

chequer Court Act was passed by the House of Commons, that Bill created, after its passage, a great deal of discussion indeed. The then Governor General of Canada, the Earl of Dufferin, actually referred this Bill to the home authorities to inquire whether Her Majesty would be advised to disallow the Bill entirely—all on account of that famous clause No. 47, creating a General Court of Appeal for Canada, whose judgment should be final.

And it is that correspondence between the Governor General of Canada, Earl Dufferin, and the Earl of Carnarvon, who was then Secretary of the Colony, and the Hon. Edward Blake, then Minister of Justice, which I have been fortunate enough to read. I should like to be permitted to give a few extracts to show how clearly it was the intention of the Government then that the judgment of the Supreme Court of Canada should be final, and that this court had been established more than anything else in order to render perfect justice to suitors in Canada, and not oblige them, at tremendous expense, to send solicitors and counsel across the water to have a case heard, and perhaps judged by men, certainly of very high ability, but not always familiar with the conditions of the country. I may say that I have added to my motion the words "when unanimous." As I go along I shall read a letter from a very distinguished lawyer of Montreal, Mr. C. S. Campbell, K.C., son of the late Sir Alexander Campbell, who was at one time leader of the Senate, and ask permission to place it on the records of the House, showing very clearly what he thinks of the matter and also of the position I have taken. I have also added the words to my motion "except in constitutional cases." I may say I put the first amendment there in order to placate the people from my own province, because the great majority of cases going to the Privy Council have been in the past year from Quebec. When the Supreme Court was first established the lawyers of the province of Quebec—the best of them—had no confidence in that court, and I know of one famous lawyer, who afterwards became a judge, Bossé, who said, when taking a brief in a very important case. "Well, I will take your case, but remember if we lose in appeal, or if it has to go beyond the Court of Appeal of the province of Quebec, I shall not take it to the Supreme Court of Canada. I shall take it to the Privy Council. Under these conditions I am willing to accept the brief but not otherwise." This court, as constituted, has not given absolute satisfaction, especially in the earlier years. Even the hon. Speaker of this House, who is giving me such an attentive ear, proposed once in the Commons that the court should be abolished entirely. At the same session of Parliament, some time afterwards, Mr. Girouard, then member for Jacques Cartier, and afterwards a judge of the Supreme Court, presented a Bill in the Commons by which all cases which were of an absolutely provincial character, between two people of the same province, should get a final decision in the province, according to the laws of that province. But of course if it were a case between a man in one province and another suitor in another province, then it might go to the Supreme Court, or if it were a case between one province and another province, or between one province and the central Government it might go to the Supreme Court; but when the suitors were in the one province, the laws of that province should govern, and the judgment of the Court of Appeal of that province should be final. Now hon. gentlemen may say, and perhaps they are perfectly right in saying, "Why should a land surveyor approach a question of this sort?". I believe in this House we are all on an equal footing.

If we have been found worthy of seats in this House, we have been found worthy of discussing the various questions that come before us; but there are many reasons why lawyers should not like to discuss these questions. First, there is the point that the vast majority of lawyers have never had any case before the Judicial Committee of the Privy Council. They have never been asked to go across the water, and consequently they do not like to speak on this matter for fear perhaps of being told, "Well, what do you know about it? You have never pleaded before the Committee of the Privy Council," and they do not like to expose themselves to that argument. Then there are others who have not been fortunate before the Privy Council. They have lost their cases, and they say if we speak about restricting appeals people will think it is on account of spite or resentment, because we have not been well treated. There are others who have been there very often, and as to such lawyers who have made good money out of it, people may say, "Of course you are in favour of keeping up the system; it is a good system, it brings you in money." But I have read only one letter with regard to

restricting the appeals. That letter was from Eugene Lafleur, K.C., of Montreal, who is certainly one of the best lawyers, and one who goes to England very often, and he is in favour of the proposition. Before I am through I shall read letters from Mr. Campbell and Mr. Geoffrion, who have had large experience before the Judicial Committee of the Privy Council, and who are also in favour of restricting the appeal. I have here a memo from the Hon. Edward Blake, dated 6th October, 1875. I may say that I have also taken communication of Mr. Blake's speech in the Hansard, on the Bill to establish a Supreme and Exchequer Court, and also a remarkable speech, which I would commend to the members of this House, an appeal by Edward Blake to members on the Australian Court Bill, which will be found in the Commons Hansard, May 21st, 1900. On that occasion Mr. Blake drew a parallel between the constitution of this country and the constitution of Australia, adopted 33 years after our confederation. After all, that is only a small space of time in the life of a nation. It shows the wonderful strides that democracy had made from 1867 to 1900, in the Australian legislation. That Australian Commonwealth Bill is much broader, and grants more autonomy than the constitution that now governs this country. The various states of the Australian confederacy have reserved all their powers except those delegated specially by them to the Government of the Commonwealth of Australia. That constitution had been prepared by the Australian people themselves, and when it came before the Imperial Parliament, the very clause which is the burden of my remarks now, whether there should be an appeal from the Supreme Court of Australia to the Judicial Committee of the Privy Council, the Bill was about to be withdrawn when a compromise was effected and the Bill became law. Mr. Blake in speaking on this subject on the 21st May, 1900, used these words in order to depict the nature of the constitution of the Commonwealth of Australia:

> This creature (the Commonwealth of Australia) has not been conceived in the womb of this Mother of Parliaments.

But it is the fruit of free men in another confederation, giving them much larger autonomy than was granted to Canada at the time. Now, Mr. Blake, in a memorandum which was communicated to the Home Government, said:

> Sir, you inform me that some difficulty is felt by the Colonial Secretary with reference to the constitutional right of Parliament to pass the 47th clause of the Act to establish the Supreme Court of Canada, and that he is about to submit the questions to the law officers of the Crown with a view to considering whether the Act should be disallowed, and you request me to report to you confidentially upon the subject.

That was addressed to the then Governor, and I only quote a few passages here and there. After arguing that the Bill was within the rights of Canada he said:

> It is therefore abundantly manifest that for a great number of years the Provincial Legistures have, without remonstrance, exercised the power of determining that the judgment of the provincial courts shall be final in all those cases (comprising the large majority of the whole number of cases tried) in which they thought it was for the public advantage that there should be no appeal beyond the provincial courts.

And Mr. Blake goes on and adds:

> If the law, as expounded by any court, however high, did not meet the public exigencies, the Provincial Legislature altered the law in order to remedy the defect, and what the Provincial Legislature could itself legislatively expound without appeal, it had the right to declare should be by its own courts judicially expounded without appeal.

And I give as evidence of that the famous Roy case, Canadian Pacific Railway vs. Roy, where a farmer had his barns burned by a spark from a locomotive of the Canadian Pacific railway. The case was won, I believe, in Canada, but lost in the Privy Council in England, and what was the consequence? At the very next session of the Quebec Legislature the law was amended in order to provide that in future decisions of that nature should not be reversed by the Judicial Committee of the Privy Council. Later on, within two or three years, another case arose in which the present Postmaster General was an advocate. That was a case in which a certain man by the name of Cotton had died, and his estate had to pay succession duties in another province or in another country. Having paid once, they claimed that they should not pay twice. The Judicial Committee of the Privy Council held, perhaps properly, that it was right, What happened? The Legislature of the province of Quebec, at the very next session, changed the law and made it absolutely certain that in the event of a man dying in the province of Quebec the whole of the succession duties should be collected by that province. So if the humblest and smallest province in this country—and that is the whole burden of my argument—

can make any laws within their power, why should they not have the right to declare that their own courts should decide such cases, since they make the law to fit the cases? More of Mr. Blake:

This charter being granted under the authority of an Act of the Imperial Legislature was decided absolutely to preclude the right to appeal except with the leave of the local court. But even if it were to be held, contrary to these authorities, that there still remained in Her Majesty power on special application to grant leave to appeal in cases excluded by the local laws, yet these laws would have force for the purpose of preventing appeals in the excluded cases without such leave by virtue of the ordinary jurisdiction of the judicial committee.

Now, here is another part of this memorandum of Mr. Blake's. To avoid taking up the time of the House I shall read only a short extract:

If it was competent to provincial authority and is competent to Canada, to make the judgment of local courts final in the vast majority of cases, it must surely be, by the same process of reasoning, within its competence to make that judgment final in all cases. There can be no pretence for saying that while the prohibition of all appeals in criminal cases, and the limitation of appeals in civil cases, to questions involving over £500 sterling or $4,000 are lawful, the extension of that limitation to $20,000 or $100,000, or the application to all civil cases of the principle of prohibiting appeals already applied to most civil and all criminal cases is unlawful. Unless therefore it should be intended to reverse the settled current of local legislation, to assume power which has never before been used in like cases, and to withdraw by the exercise of executive authority the rights and liberties of Canada and the provinces, conferred by the Imperial Parliament and established by the usage of so many years, it would seem to be impossible to disallow the Act in question.

The Hon. David Mills, on February 10, 1881, quotes from Chancellor Kent, in his Commentaries, where he states that it is better to have a wrong judgment occasionally than to have numerous appeals, and that the highest court in the province should be the final court of appeal for the affairs of that province.

Here is a letter addressed to the Governor General, the Right Hon. the Earl Dufferin, from Downing street, London, 9th March, 1876. It must be remembered that after the court had been organized, the judges had been appointed, and their salaries were being paid, still no business could be done for fear, forsooth, that the Act might be disallowed; and who would be responsible for the costs of suitors who had appeared before the Supreme Court? Mr. Blake had actually to take a trip to England to see the Imperial authorities and show them the number of cases waiting to be heard before the Supreme Court, because action could not be taken until the Imperial Government had actually decided that they would not advise Her Majesty to disallow the Bill.

Hon. Mr. DAVID—Will my hon. friend allow me to put a question to him?

Hon. Mr. CASGRAIN—I would ask the favour not to be interrupted just now.

Hon. Mr. DAVID—But you say in your motion——

That, in the opinion of the Senate, a judgment of the Supreme Court of the Dominion of Canada, when unanimous, should be final except in constitutional cases.

I should like to understand if your motion applies only to appeals to the Privy Council, and not to appeals to the Supreme Court.

Hon. Mr. CASGRAIN—I shall try to answer the hon. gentleman when I get through. He must remember that it is very difficult for a land surveyor to talk about these things, and at best it is hard enough for me to follow the lines.

Hon. Mr. LOUGHEED—A land surveyor ought to be able to follow a line better than any other class of persons.

Hon. Mr. CASGRAIN—Not a legal line.

Hon. Mr. POIRIER—Get a fishing line.

Hon. Mr. CASGRAIN—Here is the letter of the 9th March, 1876, addressed to the Governor General the Right Hon. Earl Dufferin, and signed by the Earl of Carnarvon. I shall read only one paragraph.

Hon. Mr. CLORAN—Read the whole of it.

Hon. Mr. CASGRAIN—It is too long.

I also enclose a draft clause which, in the opinion of the highest authorities, might serve to guard the Queen's prerogative, and at the same time to secure the objects which the Dominion Legislature is understood to have principally desired to attain.

Then the next paragraph:

The first of these memoranda was prepared in the Privy Council office by the direction of the Lord President, when the Act was originally received here, and the second, which has been revised and settled by the Lord Chancellor, embodies the opinion which his Lordship is disposed (subject of course to any further explanations) to entertain on the whole subject, after perusing Mr. Blake's memorandum.

The question of loyalty was always appearing, and here is a little paragraph which has some bearing on that point:

The assurance of your advisers (and I may particularize the very loyal speeches recently made by Mr. Mackenzie) would preclude all doubt, if it had been possible for me to entertain any, as to their determination to uphold the close union of Canada with Great Britain.

But those who are less able to form a correct opinion on such subjects have, as you are aware, supposed, or at least stated, that the proposal to prohibit all appeals from the Supreme Court of the Dominion to this country is referable to a feeling of indifference as to the value of that union.

While undoubtedly there are many who, though desiring to do full justice to the reasons which have led to the present enactment, sincerely believe that it will have the effect of severing one of the principal ties by which Canada is united to this country.

I have the honour to be,
My Lord,
Your Lordship's most obedient
and humble servant,
Carnarvon.

Now here is a clause that was not accepted by Canada, which was proposed to have been substituted for clause 47:

Clause to be Substituted for Clause 47 of the Canada Appeal Court Act.

And be it further enacted, that no appeal from any judgment, decree, order or sentence of the said Supreme Court in appeal to Her Majesty in Council shall be allowed when the sum or matter in dispute does not amount to the value of $5,000, or does not involve a claim, demand or question to or respecting property or any civil right to the value of $5,000, except by permission to be granted at the discretion of the judges of the said Supreme Court.

You see there the Imperial Parliament themselves are willing that the Supreme Court should decide:

Provided always, that nothing in this Act contained shall extend or be constructed to extend to take away or abridge the undoubted right and authority of Her Majesty, her heirs and successors, upon the humble petition of any person or persons aggrieved by any judgment, decree, order or sentence of the said Supreme Court in Appeal, to admit on consideration of the particular circumstances of the case his, her or their appeal to Her Majesty in Council, from any rule, judgment, decree, order or sentence, upon such terms and securities, limitations, restrictions and regulations as Her Majesty in Council, Her heirs and successors shall think fit.

That was not accepted, and the Bill stood after a very strong memorandum had been sent to the Hon. Mr. Blake. Now the conclusion of one of those memoranda drawn up by the Law Officers of the Imperial Parliament was as follows:

On all these grounds it would seem that the traditional policy and interests, both of the Crown and of the colonies, require that a right of final appeal to the Queen in Council from the Supreme and Exchequer Courts of Canada should be distinctly reserved and expressed, and that the undoubted right of Her Majesty, Her heirs and successors, to admit all appeals whatsoever on special application, should be plainly declared.

But as there is no disposition on the part of the Privy Council to favour frivolous or vexatious appeals, there seems to be no objection to Lord Carnarvon's suggestion that the limit of appealable value may be raised. It could be fixed, as in India at £1,000, sterling instead of £500.

In answer to Mr. Blake's memorandum here is a draft of the second memorandum prepared by the Lord High Chancellor himself:

Mr. Blake further argues that effect of the grant of legislative powers to the provinces of the Dominion is to give absolute power to them to cut off the right or appeal to Her Majesty in Council, and that the powers of the Dominion cannot be less than those old provinces.

Meaning that since the old provinces could themselves stop an appeal in the vast majority of cases, surely it was within the right of this Parliament, notwithstanding what the hon. gentleman from Ottawa (Hon. Mr. Belcourt) said the other day, to restrict all appeals, or make the amount large enough, as Mr. Blake suggests, from $20,000 to $100,000, so that appeals would rarely lie to the Judicial Committee of the Privy Council. Here is a letter from Mr. Blake again:

N. Audley Street.
Grosvenor Square,
29th June, 1877.

My Lord,—With reference to the cost of appeals from Lower Canada, now Quebec, the clerk of the court has furnished for my information a memorandum showing the result in the 19 cases in which judgments were affirmed and costs taxed to respondents between 1st January, 1871 and 1st January, 1876. The aggregate, he says, is £7,646, making the average £402. Adding to this in estimating the appellant's costs, the £40 extra, estimated by Lattey as the excess of appellant's party and party costs over respondent's, we find the result £844. Adding 22½ per cent for extra cost, the total average costs of an appeal from Lower Canada would appear to be £1,034. But none of these estimates include other extra costs, not infrequently incurred: for costs of opinion as to the propriety of appealing and so forth; nor do they include an allowance for those cases lately very common, in which Lower Canada counsel are, owing to their familiarity with the peculiar laws and practice of the province, specially retained to argue appeals, with fees necessarily very high.

Now here is what he says about the poor man:

It has been publicly stated by men of prominence in the profession, and I have myself been informed by professional men of the highest standing, both on the bench and at the bar, that there is no doubt that the right to appeal

is used vexatiously in many of the applications composing the large aggregate above referred to, merely with the view of forcing, from the apprehensions of expense, and delay, a reduction in the amount awarded by the court to the successful party below, and that it is not uncommon for the successful litigant though it is believed that he would eventually succeed in dismissing the appeal, to forego under such circumstances a part of his demand rather than run the disproportionate risk of costs and experience the certainty of a considerable loss, and also of the law's delay. It is stated that practical experience shows that it takes between two and three years from the delivery of a final judgment in a local court to reach the ultimate conclusion of a case appealed to the Privy Council, in many of which cases, it is to be remembered, the appellant is anxious to protract rather than to expedite the proceedings.

I am, my Lord,

Faithfully yours,

Edward Blake.

Here is another memorandum—private and confidential also—from Mr. Blake, addressed to the Law Officers of the Crown in the Imperial Parliament. I take three lines from it:

The late provinces of Upper and Lower Canada freely exercised since 1791 an unlimited—

Mark the words:

—unlimited power of making such provision as they thought expedient upon the subject of the appeal to the Queen in Council, and the Dominion stands in a still higher rank than the late provinces.

Mr Blake continues also:

Turning with these general observations to the quotation referred to, it commences by an acknowledgment that the appellate jurisdiction of the Queen in Council exists for the benefit of the colonies, and not for that of the Mother Country; but adds that it is impossible to overlook the fact that the jurisdiction is a part of the prerogative which has been exercised for the benefit of the colonies from the date of the earliest settlement of the country, and that it is still a powerful link between colonies and Crown of Great Britain. The jurisdiction existing for the benefit of the colonies, and not for that of the Mother Country, Canada should be permitted, in this aspect of the case, to judge for herself, as there is no doubt she is the best judge; and to decline what she may conceive to be no longer an advantage.

It is presumed that the statement that the appeal is a powerful link between the colonies and the Crown is thought to be supported by the observations immediately following. No aspect occurs to me under which the jurisdiction can fairly be considered such link. It is said to secure to every subject of Her Majesty throughout the Empire, the right to claim redress from the Throne. Not so. The subjects of Her Majesty in Great Britain and Ireland do not possess this supposed privilege which is thought to be so valuable. In British history is recorded the patriotic and successful struggles of Englishmen against the interference directly by the Crown in the administration of justice.

That is in answer to Mr. Belcourt saying that in England, or here, every suitor has access to the foot of the Throne and can submit his claim there. That right does not exist; the Throne always administers through the courts of law, and there is no case for centuries back where the King has interfered in any way with the courts. Now here is an important statement in Mr. Blake's memorandum, which deals with local prepossessions— which means that our judges would be impartial:

The quotation states that the appeal removes cases from the influence of local prepossessions. This can only mean that the impartial administration of justice is not accomplished in consequence of these so-called local prepossessions. That I must deny, believing, as I do, that justice is impartially administered in Canada. It is true that cases are by this appeal, removed beyond the influence of local knowledge, of local experience, of local habits of thought and feeling, of much of that learning and training, not strictly legal, which is yet essential to the formation of a sound judgment. These are unquestionably very great disadvantages. As Lord Brougham said. "The jurisdiction extends over various countries, peopled by various castes, differing widely in habits, still more widely in privileges, great in numbers. . . . and from the mere distance of the colonies, and the immense variety of matter arising in them foreign to our habits and beyond the scope of our knowledge, any judicial tribunal in this country must of necessity be an extremely inadequate court of review. What adds incredibly to the difficulty is that hardly any two of the colonies can be named which have the same law; and in the greater number, the law is wholly unlike our own." These difficulties certainly far more than counter-balance the alleged advantage of a freedom from local prepossessions.

It simply says that even if our judges were a little bit partial in certain cases—which is denied—still their intimate knowledge of our usage and customs and so on would make them better judges of our cases than people across the water, who do not know very much about it except what they hear from the lawyers in each case.

An Imperial Act was passed in 1791 dividing Quebec into Upper and Lower Canada:

Provided for the making and effect of local laws and for a Local Court of Appeal, subject to the like appeal therefrom as formerly existed, "but subject nevertheless to such other provision as might be made in this behalf by Local Act assented to by His Majesty."

Here is another clause which I think has some importance. It says that the courts are established not for the benefit of judges but for the benefit of suitors:

It is said to be "much more important to the suitors in colonial courts to have access to this supreme jurisdiction; for courts of justice exist not for the interest of the judge, but of

the suitor." In the latter observation I concur, and it is only when the people of Canada believe that the substitution of a local court of appeal for the appeal to the Queen in Council would be an advantage, and that the continuance of the appeal to England would be not a benefit, but a grievance, that its abolition is likely to be proposed.

It is said that the "Act would deprive suitors in Canada of a right and a remedy which they have not been slow to use." The bulk of the appeals have proceeded from the province of Quebec. The number, which after all is trifling, is attributed to exceptional reasons, some of which have ceased to exist, while others will be removed by the establishment upon a firm basis of the Supreme Court.

And so on. There is a whole table of the number of appeals:

It is pointed out that the Dominion of Canada has recently been erected on a Federal basis, including several provinces, and that questions of much nicety must arise under such a constitution between the Federal and Provincial Legislatures and judicatures. These it is said are precisely the questions upon which decision of a court of final appeal, not included within the Confederation, would be most impartial and valuable. To this argument I must demur. Upon the question of partiality, if the Canadian judges be partial that is a reason why they should not decide at all; it is not a reason for simply giving an appeal from their decisions; nor can I conceive anything calculated more deeply to wound the feelings of Canadians than an insinuation that impartial decisions are not to be expected from their judges. With reference to the alleged value of decisions of a court "not included in the Confederation," I would observe that with the practical operation of the Federal Constitution of Canada, with the customs any system which may have grown out of its working, with many of the elements which have been found most valuable if not absolutely necessary to a sound decision in that class of cases, a court composed of English judges cannot possibly be thoroughly acquainted. They may indeed learn from the argument in an isolated case the view of a particular counsel upon the matter; but the daily learning and experience which Canadians living under the Canadian constitution acquire, is not theirs, nor can it be effectively instilled into them for the purpose of a particular appeal. I maintain that this training and learning, which can be given only by residents upon the spot, is of such vital consequence as to overbalance the advantages flowing from the probably superior mental capacity of the judges of the London Tribunal.

Now what course may a litigant be expected to take who has recovered judgment for £500 and who learns that his adversary's threatened appeal to the Privy Council will involve, firstly, a delay of between two and three years; secondly an advance of over £500, which he must raise meantime, and upon no part of which can he recover interest; thirdly, an inevitable loss in extra cost of over £112 10 s. altogether independent of the possibility of the success of the appeal, in which case he will lose, besides his claim, over £1,000. It is quite clear that to throw off a large part of a just demand must be better than to resist the appeal, and accordingly I am informed, that this course is expected by those who apply for leave to appeal in the majority of cases, and that their expectations are realized.

The paper proceeds to observe that Canadians are by no means the only parties to suits in Canadian courts: that every British subject who has invested money or bought property in Canada is equally interested in the administration of justice in these provinces; that these investments have been made in the belief that the rights of British subjects of Canada are protected, not only by the courts of Canada, but by an ultimate appeal to the Queen in Council, and that to abandon this appeal would be to place these rights in entire dependence on the authority of a Canadian judicature. This is in effect a repetition of former arguments already discussed, and it practically presumes that British subjects and foreigners would not receive justice at the hands of the Canadian judges, while it affirms that the Canadians would receive justice at the hands of the British court.

Besides it is to be remembered that the legislative power is after all the controlling power, and that if (which I utterly repudiate) there is danger of injustice being done in Canada to non-resident, that danger is obviously infinitely more likely to accrue from the legislative Acts of a small local popular legislative body than from the solemn judicial decisions of the Supreme Court of Canada. Yet no such danger is apprehended from the more likely source; its apprehension from the less likely source is a baseless imagination.

The paper concludes by an observation that as there is no disposition on the part of the Privy Council to favour frivolous or vexatious appeals, there seems to be no objection to Lord Carnarvon's suggestion that the limit of appealable value may be raised, and suggests its being fixed as in India at £1,000 instead of £500. I have already, pointed out that in the most important province of Canada the limit of appealable value is at present $4,000; but even this sum is absurd when compared with the costs of appeal as already detailed. A thousand pounds, it is true, is the limit in India, but it is also the limit in Malta and some other small dependencies.

The argument in my memorandum of October, as to the effect of the policy which had been for so many years pursued in Canada and recognized in England is combatted. What I meant to convey as my motion of this policy was that it was a policy of making the judgment of the colonial courts final in all cases in which it was thought to be the interests of the Canadian people that they should be final.

Hon. gentlemen will see that Hon. Mr. Blake, the Minister of Justice, says that whenever the Canadian people thought that cases should be decided with finality in Canada that settled it, and it should not go beyond that. This memorandum further proceeds:

I pointed out that in carrying out that policy, the colonial judgments had been in the great bulk of the cases already made final, and I desired to argue that when the day should arrive in which it was thought for the interest of the Canadian people to make all such judgments final, legislation in that sense would be but the carrying out of the same policy. It is to be observed that the express powers under which these various colonial enactments were

passed are, even apart from the general powers, wide enough to authorize total abolition, although hitherto exercised only for the purposes of partial abolition.

My conclusions are, that, in case the Canadian Parliament should pass an Act making the decision of the Supreme Court final, that Act should be left to its operations, and that in case the Canadian Parliament should instead of thus abolishing only restrict or regulate the appeal, it should be restricted to cases involving a very important sum, and absolutely abolished in other cases.

In the memoranda came the reply, a short letter, from the Earl of Carnarvon, as follows:

Downing Street, 28th August, 1876.

My Lord,—I have the honour to inform you that Her Majesty will not be advised to exercise her power of disallowance with respect to the Act of the Legislature of Canada, entitled "An Act to establish a Supreme Court and a Court of Exchequer for the Dominion of Canada, transcripts of which accompanied your Lordship's despatches No. 93 of the 9th of April, 1875, and No. 147 of the 8th November last.

I have etc.,

Carnarvon.

There is another letter from the Earl of Carnarvon explaining why they will not be advised. I have here a short letter from a very well-known lawyer, who has appeared before the Judicial Committee of the Privy Council on more than one occasion, Aimé Geoffrion, K.C. I believe he has been called before the Privy Council as often as any lawyer of his years in Montreal at any rate, if not in Canada, and here is a letter he sent me after having read the speech I made in the House:

Hon. J. P. B. Casgrain,
Senate,
Ottawa.

My dear Senator,—I have read with much interest what you said in the Senate on the advisability of restricting the appeals to the Privy Council.

Of course, you could deal only with the appeals from the Supreme Court, as the question of the appeals from the provincial courts is a provincial matter. I agree with your conclusions and in fact will go further. I do not believe in the appeal, whether the court is unanimous or divided, nor do I believe in it even in constitutional cases.

Whether, as suggested by Senator Belcourt, or not a federal statute expressly abolishing the prerogative right that the Privy Council exercises of allowing appeals from the Supreme Court would require to be confirmed in London in order to be absolutely binding is, to my mind, a question of secondary importance. If Parliament express the wish that there be no more appeals, even of grace, to the Privy Council from the Supreme Court, an Imperial statute could easily be passed; in fact, such a statute would not even be necessary, the Privy Council would comply with the wish of the Canadian Parliament.

Yours truly,

Aimé Geoffrion.

He has had more experience in cases in the Privy Council than anybody I know of, and he wants no appeals at all. Then I have a letter here from Mr. C. S. Campbell, who has retired from active practice in Montreal. He has made a fortune at law, which is a rare thing in Canada. Having read the speech I made, he writes me the following letter, which I have just received:

The Honourable J. P. B. Casgrain,
Senate,
Ottawa, Ont.

My dear Casgrain—I have a copy of your speech in the Senate relative to the finality of Supreme Court judgments. What you say is very interesting and very much to the point.

Although I am pretty rusty in the law from not having followed the reported cases attentively of late years; it may interest you if I take the risk of approaching the matter from another standpoint.

The only authority for saying that an appeal from the Supreme Court to the Judicial Committee exists is the decision of the committee itself. Their real reasons no doubt were as they generally are matters of policy: the ostensible reasons contained in their orders or reports are rarely the real ones and no doubt that is why the views of dissentient members are never made public. Obviously a decision which is at once politic and of doubtful legality would not command any acceptance if dissentient members' views upon it were expressed. The expression of opinion by all the members is the real strength of any Appellate Tribunal, because if the views of the majority are of doubtful legality they hesitate to put them into language which may be attacked by other members of the court.

As the appeal to the Judicial Committee exists by the decision of the commiitee, so I have always thought that it would ultimately disappear not by legislation but by the decision of another court, i.e., the Supreme Court.

Suppose for instance that an appeal is instituted from a decision of the Supreme Court dismissing a claim of the payment of a sum of money and that the Judicial Committee reverses the Supreme Court and condemns the defendant to pay the sum of money and that the defendant makes opposition to the execution of the judgment on the grounds that no such appeal ever existed, and that this opposition is carried through the courts until it reaches the Supreme Court and that the Supreme Court decides that it never did exist,—what then?

Except for the fact that, after the Supreme Court was instituted, warring politicians rather revelled in the superfluity of appeals the appeal to the Judicial Committee might never have existed. So far from there being any appeal to the foot of the Throne as represented by the Judicial Committee, the British North America Act contains nothing that gives colour to such a theory and a great deal that does not. For instance by section 9 the Executive Government of Canada is declared to be in the Queen; not at all in the Queen and the British Privy Council. By section 11 there is to be a Canadian Privy Council. By section 17 again a Parliament for Canada consists of the Queen and two Houses. As far as the use of statutory language is concerned, this is just as broad a statement as it

would be to say that the Parliament of Great Britain consists of the Queen and two Houses. You will note also certain reservations and incidental matters that tend the same way. For instance by section 55 the Queen's pleasure need not be exercised by the Governor General. He might reserve the Bill for the signification of her actual pleasure, thus showing that she was an integral part of the Government of Canada. Again, under section 9 supposing that the King was actually in Canada would not the functions be exercised by himself and not by any Governor General? Under 56 the old colonial status was broken up and instead of providing that correspondence is to be with the Colonial Secretary it is provided that it is to be with one of Her Majesty's principal secretaries of state. In other words, Canada could correspond with the Foreign Secretary or the Secretary of State if it were convenient to her to do so. There is also in section 132 a provision giving the Parliament of Canada the power to perform obligations of Canada, as a part of the British Empire, towards foreign countries arising under treaties between the Empire and such foreign countries. This evidently contemplated treaties of an entirely different nature from treaties between foreign countries and the United Kingdom. The use of the word "Empire" and "British Empire" instead of the "United Kingdom" are very suggestive.

Whilst writing in this connection, you may notice that in section 1025 of the Criminal Code the Parliament of Canada assumes, and I think rightly, that, if it be necessary to deal with the Royal prerogative, it is the Parliament of Canada that can do it, and it does by this section do it in the sense of removing any doubts as to whether criminal appeals can be made to the Judicial Committee, a view that is quite inconsistent with the view of the Judicial Committee that its board is the foot of the Throne for Canadian purposes. If, in view of the British North America Act and of the statement that there may be a general court of Appeal for Canada there could be any argument that an appeal still lay to the foot of the Throne, it would seem to me to be a consequence that such appeal would lie to the King to be referred by him not to the Judicial Committee but to His Privy Council for Canada.

However, so far as I could ever see, the words in the British North America Act "a general Court of Appeal for Canada really means what they say. It would not be a Court of Appeal strictly speaking if it is only an intermediate Court. You will notice that it is never suggested in England that there is an appeal to the foot of the Throne from the decisions of the House of Lords, although if the reasoning of the Judicial Committee about the prerogative and the "foot of the Throne" be correct it would apply just as well and just as much to the House of Lords as to our Supreme Court.

Excuse my troubling you with this long screed. When I began it I did not think to get so far as I have.

Yours sincerely,

C. S. CAMPBELL.

He is in favour of having a unanimous judgment rendered by courts here claiming that it would have much more importance, and be better accepted than having a different view on the same case. That is why the word "unanimous" was put in my motion. I have put before this House letters from three legal gentlemen of the city of Montreal. Can any one suggest a stronger trinity of lawyers than Eugene Lafleur, Aimé Geoffrion, and C. S. Campbell? I do not think there are any lawyers who stand higher in our province than these men, and the three of them are unanimous in saying that appeals to the Judicial Committee of the Privy Council should be restricted. I know that the Government is very much interested in this question just now. I am therefore quite willing, with the leave of the House, now that I have placed the matter before the Senate, to withdraw the motion, if it is the wish of the Government, because I take it that it is not desirable to have any expression from the House at this time.

The motion was withdrawn accordingly.

The Senate adjourned until 11 a.m. to-morrow.

THE SENATE.

Wednesday, May 17, 1916.

The SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

EXTENSION OF THE LIFE OF PARLIAMENT.

Hon. Mr. CLORAN—Before the Orders of the Day are called, I think it would be advisable to direct attention to a very grave situation. This Parliament is now moribund. It is actually in the throes of death. It undertook some three months ago to give itself a new lease of life, subject to sanction by the Imperial authorities. That measure, which was brought down by the Government, containing a request for the extension of the life of Parliament, was frankly and unanimously accepted by a vote of the House of Commons and Senate. It is a very grave and serious matter to have Parliament dangling on a string. The time of its usefulness is past and its burial is at hand. This Parliament will prorogue to-day or to-morrow, and the people of the country have yet no knowledge or guarantee that the Government or Parliament will have a right to continued existence—absolutely no knowledge. The Parliament of Canada having petitioned the Imperial authorities to prolong its existence beyond the provisions of the constitution, are await-

ing that sanction, but in its absence what is the country going to do? What stand is the electorate to take in regard to national and public affairs? By the limitation of the constitution, this Government ceases to exist on the 1st of October. That is four months and a half from the present time. It has power until October to administer the affairs of the country, but after that date the Government of the day has no right, constitutional or otherwise, to exist, or to administer. The country is unaware whether it is prepared to give the Government extreme unction or not, so as to send it to a happy destination. It is a serious matter. How is it, and why is it, that the Imperial Parliament has not yielded to the prayer of the Dominion Parliament? I do not wish to be authority for rumours that are going around, but I may state to this hon. House and Parliament of the country, that this Extension Bill was not sent over to England immediately after its passage. The information I have is that it has only been sent to the Imperial authorities within a very recent date. Now, what could be the object of the Government in not sending that Bill to the Imperial Parliament? Nobody should be more anxious for an extension of life than the present Government. Why, two years ago they demanded an extension of life for two years during the war, and for two years after the war. They were all for extension; they were anxious for it; they said that the requirements of the country demanded it, and His Majesty's loyal Opposition consented, but on condition that the extension should not exceed a period of 12 months, which the Government accepted in the long run. Now we know that an extension of twelve months practically means two years. The Government gets an extension of time from the 1st October, 1916, to the 1st October, 1917; then Parliament under the constitution dies. Then comes the exercise of the right of the Prime Minister, or of the Government of the day, to call an election. There is no provision in the constitution which compels him to call an election within thirty days after the death of Parliament; he can call it within eleven or twelve months, so that practically an extension of one year means an extension of two years to the party in power. Now, why has the Government failed to obtain from the Imperial authorities a sanction for this demand made unanimously by the Canadian Parliament? No one can tell me that a British Parliament would throw that Bill out unceremoniously. No one can tell me that once the prayer of the Canadian Parliament was placed at the foot of the Throne, it would not be accepted as a matter of course. No one can say that the British Parliament would put the prayer of the Canadian Parliament at the tail end of the Order Paper and deal with it when it pleased. As a matter of courtesy to this great Dominion that Bill, once placed on the Order Paper, would be passed within 24 hours. Now, nothing of that kind has been done on the floor of the British House of Commons. It has not been placed on the Order Paper; it has not been placed before the Parliament of Great Britain; it has not been advocated by a single statesman, either on the Opposition side or on the Government side of the Imperial Parliament. What does this mean?

Several hon. GENTLEMEN—Carried; lost.

Hon. Mr. CLORAN—Oh, I know what I say strikes at the roots of party feeling. They are afraid of the light, and they call "carried." We will put the cover on when all the light is in. We want to know if the Government is playing the electors of Canada. We want to know if the present Tory Government is holding this Bill up its sleeve.

Hon. Mr. BOLDUC—I rise to a point of order.

Hon. Mr. CLORAN—Are you getting tired of the light?

Hon. Mr. BOLDUC—Well, I rise only on a question of order.

Hon. Mr. CLORAN—Then I shall answer your question of order.

Hon. Mr. BOLDUC—We have already heard these remarks from the hon. gentleman three or four times, and I believe he is out of order at the present moment. There is nothing before the House.

Hon. Mr. CLORAN—There is a great deal before the House. I have to answer that, I believe.

The SPEAKER—Order.

Hon. Mr. CLORAN—Cannot I answer that point of order and tell the hon. gentleman that he is absolutely out of order in raising it?

The SPEAKER—No, you have to prove there is something before the House. What is the motion before the House?

Hon. Mr. CLORAN—The motion is—

The SPEAKER—There is no motion before the House.

Hon. Mr. CLORAN—There is no motion but——

The SPEAKER—Then I call the hon. gentleman to order. Nothing has been placed in my hand to lay before the House. If the hon. gentleman wants to proceed on the question and discuss it, he must put a motion in my hand.

Hon. Mr. CLORAN—Then I ask His Honour the Speaker to rule that no hon. senator in this House can call attention to a matter of gravity without giving——

The SPEAKER—I am asking the hon. gentleman to take his seat.

Hon. Mr. CLORAN—I am asking you to give an answer.

The SPEAKER—No, I will not give any answer.

THE KITSILANO INDIAN RESERVE.

Hon. Mr. LOUGHEED—Before the Orders of the Day are proceeded with may I correct a mistake which was made the other day in the statement I made to the House in regard to the order moved for by my hon. friend, the Hon. Mr. Bostock. I gave the impression to the House that the report of the Joint Commission on Indian Reserves would be submitted to Parliament. I find that I was mistaken in that statement. I now read from a certified copy of a report of the Committee of the Privy Council, dated November 27, 1912, indicating what the arrangement was between the two Governments, that is the Government of British Columbia and the Dominion Government:

> The Minister of Justice therefore advises that the approval of the agreement should be subject to a further provision which should be accepted by the Government of British Columbia before the agreement can be effective: —Provided that notwithstanding anything in the agreement contained, the acts and proceedings of the commission shall be subject to the approval of the two governments, and that the governments agree to consider favorably the reports, whether final or interim, of the commission, with a view to give effect as far as reasonably may be to the acts, proceedings and recommendations of the commission, and to take all such steps and proceedings as may be reasonably necessary with a view of carrying into effect the settlement provided for by the agreement in accordance with its true intent and purpose.

On the occasion referred to I said:

> I have no doubt that when that report is prepared it will be brought before Parliament and the most ample opportunity will be given to all concerned for fully discussing it with a view to arriving at a satisfactory determination of the whole subject.

At that time I was unaware of the arrangement between the two Governments to which I have referred. I therefore desire to correct the mistake.

Hon. Mr. BOSTOCK—I appreciate the hon. gentleman's explanation, and would like very much to impress on the Government that I do not think any arrangement between the Dominion and Provincial Governments should be made at the present time, when the Provincial Government is, I may say, a moribund Government. It has only about fifteen days more life. The Legislature of British Columbia will come to an end on the 1st of June, and I ask my hon. friend, even if this report cannot be submitted to Parliament, to represent very strongly to his colleagues that no action should be taken as between the two Governments at the present time, but that the matter should be left over until the people of British Columbia have had an opportunity of deciding whether they have the same confidence in the present Government as they have had in the past. That is only a reasonable request to make, and I hope my hon. friend will take it into consideration.

Hon. Mr. LOUGHEED—All I can say to my hon. friend is that that is peculiarly a matter for the British Columbia Government. They may not view the situation in the same gloomy light my hon. friend does.

Hon. Mr. POWER—If the British Columbia Government look at the position in a more sanguine spirit than that indicated by the hon. leader of the Opposition, that is an additional reason why the Government here should not act until the hope of the British Columbia Government is realized, and they know that they are dealing with people who have the confidence of the people of British Columbia.

THIRD READING.

Bill No. 24, An Act respecting the Toronto, Niagara and Western Railway Company.—Hon. Mr. McHugh.

The Senate adjourned until 4 o'clock this afternoon.

The SPEAKER took the Chair at Four o'clock.

Routine proceedings.

QUEBEC AND SAGUENAY RAILWAY BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill No. 101, An Act to authorize the acquisition of lines of railway between the city of Quebec and Nairn Falls and between Lyster and St. Jean des Chaillons.

The Bill was read the second time.

Hon. Mr. LOUGHEED moved the second reading of the Bill. He said: The object of this Bill is to authorize the Minister of Railways to acquire, under the provisions of the Government Railways Act, upon such conditions and terms as the Governor in Council may approve, the railways described in the schedule to the Bill. The first railway set out in schedule 2, paragraph (a) is a line of railway commonly known as the Quebec, Montmorency and Charlevoix Railway, extending from St. Paul street, in the city of Quebec, to St. Joachim, a distance of about forty-three and one-fifth miles; (b) the Quebec and Saguenay railway, extending from its junction with the Quebec, Montmorency and Charlevoix railway at St. Joachim, in the county of Montmorency, to Nairn Falls in the county of Charlevoix, a distance of about sixty-two and eight-tenths miles; and (c) the Lotbinière and Megantic railway extending from Lyster in the county of Megantic to St. Jean des Chaillons in the county of Lotbinière, a distance of about thirty miles.

Speaking of the first road, namely the Quebec, Montmorency and Charlevoix railway, I must say that this road is fully equipped with rolling stock necessary to handle business, with stations and other buildings and everything, in fact, complete to carry on business. It has electrified part of the line and passes through Ste. Anne de Beaupré, east of Quebec, along the north side of the St. Lawrence river. The earnings of this line from 1910 are as follows:

1910.	
Gross earnings	$217,802 94
Operating expenses	146,559 40
Net earnings	71,243 54
1911.	
Gross earnings	$245,039 04
Operating expenses	166,719 68
Net earnings	78,319 36
1912.	
Gross earnings	$273,395 84
Operating expenses	197,175 02
Net earnings	76,238 82
1913.	
Gross earnings	$293,985 75
Operating expenses	217,497 23
Net earnings	76,488 52
1914.	
Gross earnings	$311,528 17
Operating expenses	228,496 60
Net earnings	83,031 57

A very satisfactory showing for a road of only 43 miles.

Hon. Mr. BOSTOCK—Could my hon. friend state whether that road pays the interest on the bonds?

Hon. Mr. LOUGHEED—The net earnings would be applied upon the bonds. I will come to that presently.

Hon. Mr. POWER—The net earnings are what the road earns above the expenses.

Hon. Mr. LOUGHEED—Yes; beyond the operating expenses. The difference between the net and gross earnings is set forth in the statement which I have read, and which I submit, as far as this section of the road is concerned, is of a very satisfactory character. The next section of the road is known as the Quebec and Saguenay. This line has not been completed, but according to the estimate of Government engineers, is about 87 per cent completed. It has been estimated that it will take from $700,000 to $1,000,000 to complete the line.

Hon. Mr. CLORAN—How many miles?

Hon. Mr. LOUGHEED—Sixty-two miles. The company has issued bonds to the extent of $4,684,400, of which two and a half million sold at 84 cents on the dollar, and $2,184,000 sold at 82 cents, realizing on both $3,822,315.42, which amount, with additional cash of $1,050,000, has been put into the road. There is due for right of way claims and other accounts $461,000, making a total of $5,333,315.42, which the company claim has been paid out on the road. They were paid by the Government a subsidy account of $132,000, and as I have already said, it is estimated it will take from $700,000 to $1,000,000 to complete the line. Now, before I enter upon any further discussion of this particular section, may I deal with the other section of the line, namely the Lotbinière and Megantic road. This line extends, as I have already read from the Bill, from Lyster in the county of Megantic, to St. Jean des Chaillons, in the county of Lotbinière, for a distance of thirty miles. This line has been in operation for a num-

ber of years, and, as will be noted from the earnings of the road which I shall read presently, is a paying road. The earnings were as follows:

1912.	
Gross earnings	$14,025 26
Operating expenses	8,047 55
Net earnings	5,577 71
1913.	
Gross earnings	$34,870 07
Operating expenses	27,964 97
Net earnings	6,905 10
1914.	
Gross earnings	$30,259 47
Operating expenses	28,993 89
Net earnings	1,265 58

Hon. Mr. CLORAN—That is, the net earnings per annum?

Hon. Mr. LOUGHEED—Yes, for those particular years. The total cost of the line was $349,208.85. It is proposed that the Government shall take over this line, divided into the three sections which I have enumerated. The payment to be made therefore shall be the value to be fixed by the Exchequer Court on the following basis, as will be observed from clause 2 in the Bill:

> 2. The consideration to be paid for each of the said railways and for any equipment, appurtenances and properties that may be acquired as aforesaid shall be the value thereof as determined by the Exchequer Court of Canada; said value to be the actual cost of said railways, less subsidies and less depreciation, but not to exceed four million, three hundred and forty-nine thousand dollars, exclusive of outstanding bonded indebtedness which is to be assumed by the Government, but not to exceed in all two million, five hundred thousand dollars.

It will therefore be observed that the Government has protected itself in adopting this basis of valuation, so that even the actual cost of the road may not be realized so far as the owners are concerned, on account of the maximum value which has been fixed in the Bill. In any event this shall not exceed the $4,349,000, even though the cost of the road should very substantially exceed that amount. Hon. gentlemen who come from the province of Quebec are more familiar than I am with the possibilities of this road.

Hon. Mr. CLORAN—No.

Hon. Mr. LOUGHEED—It is needless to say that the position of the road, and the conditions attending its construction, and the demands or requirements of the people of Quebec, make it desirable that something should be done towards its acquisition to prevent the portion which has already been built falling into disuse, and the money which has been expended thereupon being absolutely wasted. The intention is that it should form a branch of, or be used in connection with the Transcontinental system. The sections of Quebec through which the road runs, I understand, are fairly well settled, and are possessed of possibilities which augur well for its future, and demand from the Government that reasonable railway facilities be provided for that particular section of Quebec. I am fully aware of the fact that the Quebec and Saguenay section of this road has been subjected to a great deal of public criticism, much of which was exaggerated and may possibly not have been to the advantage of Canada. Suffice to say that this road received the support of the late Government, inasmuch as a substantial subsidy was given to the promoters when they entered upon its construction, and I apprehend that the Government in granting that subsidy did not fail to perform their duty and properly investigate the merits of the undertaking. It, therefore, had the sanction of the Federal Government at the time the project was entered upon, and it is not unreasonable to say, in view of the fact that the Government of Canada has taken over the Transcontinental system, and this particular section of Quebec looks forward to the Government furnishing it with necessary railway facilities, that negotiations should be entered into for the purpose of acquiring the road. Under those circumstances I therefore submit the Bill to the House with a reasonable degree of confidence, feeling that it will be supported, and ask for its second reading.

Hon. Mr. BOSTOCK—My hon. friend did not answer the question about the bonded indebtedness.

Hon. Mr. LOUGHEED—The Quebec, Montmorency and Charlevoix railroad has an issue of $2,500,000 of bonds. The Quebec and Saguenay issued bonds to the extent of $4,684,000, and it is claimed that the proceeds of the bonds were applied to the building of the road. In addition to the proceeds of the bonds, $1,050,000 has also been expended upon the road. It will therefore be observed that the Government, in restricting the Exchequer Court to the basis of valuation set out in the Act, has restricted that valuation to one-half of the bond issue, namely, $2,500,000, and the maximum cost of the road to very consid-

erably less than the amount which manifestly was expended upon it.

Hon. Mr. BOSTOCK—But that does not cover the bonded indebtedness of the other two roads.

Hon. Mr. LOUGHEED—In the basis of valuation the $2,500,000 will cover the entire bonded indebtedness to be paid—stipulated in the Bill—and the $4,349,000 will cover the entire cost of the three sections, or less than that if the court may accordingly make a finding.

Hon. Mr. BOSTOCK—There has been no statement to show how far the net earnings of those other two roads have gone to pay the interest on the bonds of those railways.

Hon. Mr. LOUGHEED—No, I have nothing to show except the fact that there are certain arrears to contractors and for right-of-way. I cannot tell my hon. friend how the bonds stand. I presume the bonds may be bought up at a very reduced sum on the dollar, but for our present consideration of the Bill it seems to be immaterial what that default may be. Suffice it to say that the Government of Canada will not be called upon to pay more than a bonded indebtedness of $2,500,000.

Hon. Mr. BOSTOCK—My hon. friend has not, of course, brought down the papers with regard to this, but I understand there were estimates and engineers' reports brought down to the other House. We have not had a chance of looking at those.

Hon. Mr. LOUGHEED—The estimate of the engineers for the completion of the Quebec and Saguenay is from $700,000 to $1,000,000. I cannot tell you anything more than that. I am unaware that there are any reports like those that were laid on the table in the House of Commons.

Hon. Mr. BOSTOCK—Could my hon. friend give us that information before we go on with this?

Hon. Mr. LOUGHEED—I am unaware if there is any information of that kind on the table of the Commons.

Hon. Mr. BOSTOCK—I understand it was brought down in the other House. Of course it is rather material in discussing a question of this kind that we should have full information on the whole matter.

Hon. Mr. LOUGHEED—I do not see that it will assist it any. There is the computation of the engineers, from $700,000 to $1,000,000 to complete the work.

Hon. Mr. CLORAN—33 per cent of a difference; they do not know much.

Hon. Mr. DANDURAND—I just rise to state that voluminous correspondence and engineers' reports have been deposited on the table of the Commons giving a detailed explanation of the cost of those roads.

Hon. Mr. LOUGHEED—Do you mean as to the cost?

Hon. Mr. DANDURAND—As to the value of those three roads.

Hon. Mr. LOUGHEED—I have given you the value.

Hon. Mr. DANDURAND—But I state that official documents have been laid on the table of the House of Commons; perhaps my hon. friend could allow us to see them a couple of hours before we discuss this.

Hon. Mr. LOUGHEED—Certainly, I shall have them put on the Table.

Hon. Mr. DANDURAND—Then we can resume the debate at 8 o'clock.

Hon. Mr. LOUGHEED—All right.

Hon. Mr. BOSTOCK—I move that the debate be adjourned until 8 o'clock to-night.

The motion was agreed to, and the debate adjourned accordingly.

RIGOROUS PUNISHMENTS IN ST. JOHN.

Hon. Mr. DANIEL—Before the Orders of the day are called, I should like to make a reference to what took place here some few days ago. Hon. gentlemen will remember that in the debate on the Bill to Aid Provincial Prohibition, I stated that under the old medieval penalties attached to crimes, a boy was hanged in St. John for stealing a loaf of bread. I was very sharply brought to task by the hon. member for Rothesay, who contradicted my statement and said that no such thing had occurred. To-day I received a letter from a gentleman who is very well known in St. John, a portion of which, with your permission, I should like to read. He said he had read this statement in the Debates, and gave some little attention to looking up the matter. He says:

I find you were correct and Domville wrong. The following item is taken from Lawrence's Foot Prints, published in 1883.

This is what is written in " Lawrence's Foot Prints "—a historical book written by Mr. Lawrence.

Hon. Mr. CLORAN—Are they true, the foot prints?

Hon. Mr. DANIEL—This is the quotation:

"The last trial for a capital offence was in the old court house January 1828, Judge Chipman presiding. Patrick Burgen, a boy of 18 years, charged with entering the dwelling (in the night) of his master, J. B. Smith, manufacturer of ginger beer, corner of Union street and Drury Lane and robbing the till of one-quarter of a dollar. He was arrested the day after, tried before a jury. As the evidence of guilt was clear no other course was open to a jury than a verdict of guilty, with a recommendation for mercy, yet the judge, in sentencing the prisoner to be executed told him there was no hope for mercy. A petition was sent to the Lieutenant Governor, Sir Howard Douglas, asking the interposition of the prerogative of the Crown in behalf of the prisoner. Notwithstanding the recommendation of the jury the law was allowed to take its course, and Patrick Burgen was hanged February 21st, 1828, from the second story window of the old jail."

Lawrence takes this from manuscripts. The Early Lawyers and Old Judges of New Brunswick and their Times. With this information you can settle the Senator from Rothesay.

Hon. Mr. CLORAN—The judge was drunk.

Hon. Mr. CASGRAIN—What year was that?

Hon. Mr. DANIEL—1828. With this information we can settle the hon. senator from Rothesay.

Hon. Mr. CLORAN—That is the kind of justice they are handing out to the rebels in Ireland to-day. They are hanging from 12 at night until 4 in the morning. In justice to the hon. gentleman from Rothesay——

Several hon. GENTLEMEN—Order.

Hon. Mr. CLORAN—This is a matter between gentlemen. The hon. gentleman from Rothesay said that there was no record of the fact that a boy was hanged in New Brunswick for stealing a loaf. That was a broad denial of the statement made by the hon. senator from St. John. The hon. gentleman from Rothesay is absent and I am taking his place. The hon. senator from St. John made the charge that boys or men were hanged in New Brunswick for stealing bread. The hon. senator from Rothesay denied it. The hon. senator from St. John produces a document proving that the accused was guilty of burglary, which is altogether different from stealing a loaf of bread, so that I say the hon. senator from St. John had no ground on which to stand in making that accusation against the hon. senator from Rothesay. The hon. senator from Rothesay is right, and the hon. senator from St. John is wrong.

Hon. Mr. DANIEL—I might say that the boy was hanged for stealing a horse and buggy, and the story in St. John is that the boy used the quarter to buy bread for the family so that he was hanged for stealing a loaf of bread.

DISMISSAL OF C. CHOQUETTE.

Hon. Mr. CHOQUETTE: When I spoke on the 28th April last I referred, I think, to my brother who had been dismissed from the Immigration Department in Montreal two days after my remarks in the Senate. Now I have received a letter from the Minister of the Interior in which he states:

It may be that the decision that was come to was not received by C. Choquette until 20 or 21st January—"

Two days after I spoke—

"But the investigation and the decision had been arrived at some considerable time prior to the delivery of your speech referred to."

As a matter of fact I was not aware that C. Choquette was your brother until I read your recent statement in the Senate to that effect, and I must also plead guilty to the fact that I had not read the speech delivered by yourself on 29th January, so that it was impossible that that speech could have influenced my decision."

My first intention was to give your statement a denial in the House of Commons, but I thought it would come much more appropriately from yourself in the Senate, where you had made the statement, and I feel sure your fairmindedness will induce you to make this correction."

So that my statement was correct; I spoke on the 19th, and he received notice on the 21st, I place these facts before the House because the gentlemen asked me to do so.

ST. PETER'S INDIAN RESERVE BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (67) An Act relating to St. Peter's Indian Reserve.

(In the Committee.)

Hon. Mr. WATSON—I should like to have an explanation of clause 2, " Patents on lands included in St. Peter's Reserve issued by His Majesty, etc." What does it mean? It does not appear to include all the lands.

Hon. Mr. LOUGHEED—I should say that would relate to the lands which the Indians held on that particular day, and then we make that good; that is to say, the lands were unsold on the 1st day of June, 1915, but they have afterwards been disposed of. I think that is the meaning of that clause. Probably they were all in the Indian Patentee at that time.

Hon. Mr. BOSTOCK—Did these lands come within this agreement?

Hon. Mr. LOUGHEED—Yes, these are the lands referred to.

Hon. Mr. BOSTOCK—I think I ought to draw the attention of the leader of the Government to a rather irregular procedure that has occurred in regard to this Bill. When the motion was carried to strike out this part of clause 2, which I understand the leader is now moving to have reinstated, the hon. leader of the Government then moved that the committee rise, but our chairman at that time never put the motion to the committee, never gave the members of the committee an opportunity of saying whether they accepted the motion or not. He simply rose and left the Chair. I think, without wishing to say anything unkind of our chairman, another time he should see that the motion is put to the committee, and give them an opportunity of recording their vote, whether they wished the motion carried or not.

Hon. Mr. MURPHY—I looked to the leader of the Opposition for inspiration, and he gave me no sign. The House acquiesced and I left the Chair.

Hon. Mr. DANDURAND—There is no question that the motion of my hon. friend that the committee rise was not put to the committee.

Hon. Mr. MURPHY—I quite admit that it was not put.

Hon. Mr. LOUGHEED—It was an oversight, and to overcome that we are again in committee.

On subclause (c):

Hon. Mr. WATSON—I understand from that clause (c) that this money is not necessarily going to be paid up at once; that the title will be registered with a lien of $1 against it.

Hon. Mr. LOUGHEED—Yes, but just as soon as paid the lien will be released and the caveat removed.

Hon. Mr. WATSON.

Hon. Mr. WATSON—Is it necessary for the owner who has purchased the land to give a lien, or will the Government exercise the power to register the lien without the owner's consent?

Hon. Mr. LOUGHEED—No, the caveat has been, under the Land Titles Act of Manitoba, registered against the land, and the caveat remains until the dollar is paid, and immediately the dollar is paid then the caveat is released, and the certificate of title issued.

Hon. Mr. WATSON—Who put the caveat against the land?

Hon. Mr. LOUGHEED—The Registrar General caused the caveat to be filed. Apparently whatever was done was done by the Registrar General of Manitoba, and then of course that at once suspended any transaction with reference to the land.

Hon. Mr. BOSTOCK—Why should the Registrar General of Manitoba have registered a caveat against it?

Hon. Mr. LOUGHEED—Because the Registrar General is charged with satisfying himself under the Act that a proper title has been made by the transferrer of the land; that is to say, if the Registrar General is of opinion that an irregular title has been made, or that a title has been made through fraud or any other cause, he has a right to intervene, and to suspend by way of caveat any further transaction in the land until that difficulty is removed.

Hon. Mr. BOSTOCK—Will my hon. friend give us the statute?

Hon. Mr. LOUGHEED—That is the provincial statute.

Hon. Mr. BOSTOCK—I was looking at the statute and could not find the clause that gave him all that power. It seems to me that his authority was confined to seeing that the title was regular, and that the documents were properly executed, but he had no power under the Manitoba Act to give abstract documents and find out whether—

Hon. Mr. LOUGHEED—He is the creature of the statute. It confers the only power he can exercise, and it seems to me the action of the Registrar General must have been justified. Otherwise, an application could have been made to one of the superior courts of Manitoba, or to whatever court had jurisdiction, to review the finding of the registrar, and an order might have been made directing him to do something

to the contrary. He is not beyond the jurisdiction of the court, and I assume, inasmuch as this caveat remained against the land, that there must have been some justification for the registrar in pursuing the course he did.

Hon. Mr. BOSTOCK—Any purchaser could have invoked the power of the court to upset the caveat.

Hon. Mr. SPROULE—It seems to me the Torrens Land Act was a Federal Act originally, because I have a distinct remembrance of the discussions which took place over it, and the question was raised as to how it might be applied, and I think it contains a provision giving any Provincial Government the right to apply the Act to any portion of the country.

Hon. Mr. LOUGHEED—In answer to what my hon. friend has stated, I will say this, that what is known as the Torrens Act was introduced by the Federal Government and was applicable to lands in the Northwest Territories when the Dominion Government administered the registry office, but that would not apply to Manitoba. There was a time, and in fact it continued until the present provinces of Saskatchewan and Alberta were erected, when the land registration laws were administered in the Northwest by the Federal Government.

The sub-section was adopted.

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

The Bill was read a third time and passed.

THE SENATE DEBATES.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. FARRELL moved concurrence in the fourth and fifth reports of the Senate Committee on Debates and Reporting.

Hon. Mr. SPROULE—I was trying to get a copy of the report to look over, but could not get one, and therefore know absolutely nothing of its contents. It seems to me we ought to have some means of knowing what we are called upon to endorse. I therefore move that this report be taken into consideration at the next sitting.

Hon. Mr. DANDURAND: Before the amendment is put, I should like to draw the attention of the hon. gentleman to the fact that it is most important, if we want to do anything this session, that this report be now adopted, but, of course, not before the hon. gentleman has seen it. I understand that the Clerk of the House has sent for the report in order to put it in the hands of the hon. gentleman from Grey. They are two very short reports which the chairman or any member of the committee can explain in a few words. To adopt the plan recommended by the committee there needs to be joint action of the House of Commons and the Senate on this report.

Hon. Mr. SPROULE: Would it carry out the purposes of this report to delay it until the next sitting of the House, which I presume will be this evening or to-morrow?

Hon. Mr. MURPHY: This evening.

Hon. Mr. LOUGHEED—Let it stand until to-night.

Hon. Mr. DANDURAND—But that will give very little time.

The SPEAKER—The motion is on the amendment of Hon. Mr. Sproule asking that the consideration of this report be deferred until the next sitting.

Hon. Mr. DANIEL—Perhaps if the chairman of the Debates Committee will explain what the report is, there will be no reason for waiting.

Hon. Mr. SPROULE—I find that the report reads as follows:

1. That a reporting branch be formed as part of the permanent official staff of the Senate, to report the debates of the Senate and evidence taken before committees of the same.

2. That Mr. Albert Horton, at present editor of the debates of the House of Commons, be transferred, with the consent of the House of Commons and under the provisions of the Civil Service Amendment Act, to the position of editor of Debates of the Senate, and that he have the direction and management of all matters connected with the organization and management of the Senate reporting branch.

The other report reads as follows:

Your committee recommend that in view of his 40 years' faithful services as reporter and editor of the Senate Debates, Mr. George C. Holland be paid an annual gratuity of $1,000, such payments to commence from the 1st of January, 1917.

I take it from this paragraph that Mr. Holland does not come under the superannuation section of the Civil Service Act. I want to say, with regard to this, that I have no objections. As far as my knowledge enables me to say, we could not select a better person than Mr. Horton for this work. He has certainly done most creditable work in the House of Commons, and I have no doubt he will do equally creditable

work here if he is employed. Therefore, there is no reason for my amendment, and with the permission of the House I beg leave to withdraw it.

The SPEAKER—If the report should be adopted in the form in which it is now, does this House think that it interferes with the old organization of the Senate?

Hon. Mr. CLORAN—It is a money Bill, granting $1,000. It is a money Bill.

The SPEAKER—Not from that point of view at all. Should this report not be referred to the Committee on Internal Economy? I think, if this were dealt with in the proper way I should have a word to say on the subject, as I have powers in that committee; I hold at least a seat on the committee, and should make a recommendation to alter the composition of the staff. If there is nothing in it, so much the better.

Hon. Mr. DANDURAND—I may inform his hon. the Speaker that we took for granted that the question of reorganization of the reporting staff was, at all events by tacit consent, left to the wisdom of the Debates Committee. It needed considerable adjusting, and conferences had to be held with the House of Commons upon it. I felt at one time that the regular procedure should have been otherwise, but at the last moment—as we always act in a hurried manner—when all the conditions appeared to be satisfactory, the Debates Committee yesterday agreed upon this procedure, and I hope that his hon. the Speaker will put up with the conclusions we have arrived at and sanction them by contributing his mite in putting the vote to the House.

The SPEAKER—I suppose I shall have to accept what the committee has done and give silent consent. I have no personal objection; it was only a question of principle, and I want to be a member of this House in its dying days and what may be the dying days of my office.

Hon. Mr. CLORAN—Oh, you know the secrets of the Government.

The SPEAKER— I have no secrets at all, not even the secrets of the hon. member.

The motion was agreed to.

Hon. Mr. FARRELL moved concurrence in the fifth report of the Standing Committee on Debates and Reporting.

The motion was agreed to.

RECONSTRUCTION OF PARLIAMENT BUILDINGS.

Hon. Mr. WATSON—As hon. gentlemen are aware, the leader of the House and myself are on the committee for the reconstruction of the Parliament Buildings. Some changes in the plans up to date have been recommended and are on view in Hon. Mr. Rogers' room, and the architect is there to explain them. It has been suggested to put another story on the top of the building, and the plans showing the proposed addition are there to be seen.

Hon. Mr. SPROULE—The only intimation I have noticed from time to time as to what changes are suggested is what appears in the papers. There are two plans before us, the first one that was submitted and the subsequent one. I looked over both, and it seemed to me that the majority of those who were present were decidedly in favour of the second one, but one of the city papers mentioned that the first plan had been adopted. I could not understand why that could be if the sentiment of those present indicated their wish in the matter. The first one was practically somewhat like the old one—showing the Senate as a Chamber within a Chamber, which did not extend to the outer walls; the other put the Senate Chamber in the east end of the block, the windows opening to the outside, as in this building. It would be interesting to know which plan is to be adopted; the committee have not told us which one is preferred.

Hon. Mr. WATSON—It would be well to see the plans before expressing an opinion on it. As far as the Senate is concerned, a good many members have approved of what is known as Ewart's plan.

Hon. Mr. SPROULE—That is the plan I referred to as the last one.

Hon. Mr. WATSON—The commoners were unanimous in favour of the other. A change has recently been made, and at the last meeting we thought it advisable to have the plans brought down so that hon. gentlemen could see them before they are adopted.

Hon. Mr. DANDURAND—Could the hon. gentleman tell us what reasons were given in favour of settling the plan which puts the two Chambers at the extreme ends of the building and not in the center, as Mr. Ewart suggested?

Hon. Mr. WATSON—The plan known as the Pearson-Marchand plan has more out-

side light than the old plan. Mr. Ewart's plan was objected to on the ground that the north end was on the outside; the Chambers are to be situated east and west, with a hall about 80 feet wide between the Senate Chamber and the Commons Chamber. That was done with the object of retaining the new part of the old building. The Pearson plan puts the Chambers north and south, the same as they were before, but not quite in the same position, and leaving larger light spaces, and consequently affording more light and more ventilation, and that was thought advisable. The idea of putting another story on the building is that the original plans of that same building, we are informed, showed another story. At the time the building was erected it was not found necessary to have that space, and to save cost one story was left off. It is now suggested that, as we are contemplating a structure which may be the Parliament Buildings for Canada for. I might say, probably centuries, it is well to make provisions for the future, and it has been suggested to restore the plan to its original form with the extra story on. It will cost, according to the architect's estimate, about a million dollars additional to put that story on, but of course it gives the whole floor of another story, while the roof will be the same as before with the additional story below.

Hon. Mr. OWENS—I understood at the time that the objection to the Pearson plan was that while the Chambers, the House of Commons and the Senate, stood out, there was a corridor around them. Such a plan would exclude the fresh air. To my mind that would be a great objection.

Hon. Mr. DANDURAND—That is the Ewart plan?

Hon. Mr. OWENS—No, that is the Pearson plan.

Hon. Mr. POWER—I have a good deal of hesitation in rising to prolong this sitting, but it just happens that I may not be able to say a word hereafter in respect to these plans, and I thought it desirable to say just a few words now. In the first place, it is desirable that no more money should be spent than is necessary to make the changes which are really desirable. Speaking for the Senate—I do not undertake to speak for the Commons at all—there is no necessity for any structural change in the building. I agree with the chairman of the committee, that putting on an additional story is an unobjectionable thing and will give a great deal of additional accommodation at a not very great expense. As I understand, the plan proposed by Messrs. Pearson and Marchand would make a complete change in almost every portion of the building, and to my mind it would be a more economical and more satisfactory thing perhaps to erect a new building. I have heard the cost of the Pearson-Marchand scheme put down variously at from four millions of dollars to six millions, and this addition would bring it up to five or seven millions. Now, the changes that are necessary in the Senate end would involve almost no additional expenditure, or a very small one. With respect to Mr. Ewart's plan, I wish to put this point before the Senate. The number of senators now is about 87. It is not likely that within any reasonable time the number of senators will be increased beyond 96. Now, the Chamber which we have had since Confederation was more than sufficient accommodation for the 87 members. It is as large as the old House of Commons, which was intended to accommodate some 200 members. Mr. Ewart's plan, as I remember it, provided that in the reconstructed building, the Senate Chamber would be nearly twice as large as it was in the old building. Hon. gentlemen will see that there is absolutely no necessity for any such change as that. Not only is there no necessity for the change, but the change would be most mischievous. Hon. gentlemen who have been in the habit of speaking in the old Chamber know that if we made it any larger it would not be satisfactory to speak in. The acoustic properties were not very good, and therefore I think it would be a most serious mistake to make the Chamber so large that members engaged in discussing questions would be obliged to shout. You cannot discuss and shout, hon. gentlemen; and I think any proposal to make the Senate Chamber in the reconstructed building larger than the original Senate Chamber would be a great mistake.

Hon. Mr. WATSON—The reconstruction would make it the same size as the old one.

Hon. Mr. POWER—If anything, it ought to be a little smaller. However, I am not going to press that.

Hon. Mr. WATSON—The Commons Chamber is larger.

Hon. Mr. POWER—The Senate end of the building, as an architectural production, was a very superior one. It would be a pity to alter the exterior of the old Senate building. There is no necessity for doing it. The taking away of the housekeeper's rooms, adding another story, and the clearing out of the basement of the three towers will give all the accommodation that is likely to be needed by the Senate for the next half century, and I trust that the hon. members of the committee will bear that in mind.

Hon. Mr. DANIEL—I think I have seen only one set of plans. I did not know there were two. I saw the set of plans that was brought over here and placed on the Table of our committee room; whose they were I do not know. The only point to which I was going to refer was this, that I hope whoever has charge of replacing the old building will bear in mind the fact, that in so far as its corridors and things of that kind are concerned, the building was one of the worst fire-traps that existed in the whole Dominion of Canada.

I hope the new plans will improve the interior of the building in that respect, and provide plenty of exits in case of fire, and a chance to reach the exits. As a matter of fact, the main entrance was practically the only exit from the old building apart from the two smaller ones in front. There were some doors, but nobody knew anything about them, and when the fire occurred people were cut off. Had a large number been present, the loss of life would have been very heavy indeed. That is one point I want to refer to. The ventilation should be properly attended to. The room and corridors, and especially the chambers of both Houses, should be properly ventilated, so that members will find the air fresh and pure. Everybody who has been attending the session in this building since the fire has expressed satisfaction with the better ventilation here than in the old building. So that the matter of ventilation is, to my mind, very important, and I hope will be taken into consideration.

The Senate adjourned until 8 o'clock to-night.

Third Sitting.

The SPEAKER took the Chair at Eight o'clock, p.m.

Routine proceedings.

THE LIBRARY OF PARLIAMENT

Hon. Mr. LOUGHEED moved that the recommendation of His Honour the Speaker laid upon the table of the House yesterday respecting the salary of Albert Carter, accountant of the Library of Parliament, be concurred in.

Hon. Mr. DANDURAND—We take for granted that the Library is controlled by the Joint Committee of both Houses.

Hon. Mr. LOUGHEED—Yes, it is.

Hon. Mr. DANDURAND—This is on the recommendation of the Joint Committee.

Hon. Mr. LOUGHEED—Yes. The same motion was made and the same recommendation placed on the Table in both Houses yesterday.

The SPEAKER—I do not know whether I gave a recommendation.

Hon. Mr. LOUGHEED—I assume that was the case.

The SPEAKER—I laid it on the Table.

Hon. Mr. CLORAN—I am glad to see the hon. gentleman in conflict with the Speaker. I am not alone in that regard.

The SPEAKER—I think I had better state the case as it stands. The recommendation of the Joint Committee of the Librarians was sent to me, I think the nomination was made by one of the Librarians, and sent over to me, and I asked him to recommend it. As far as I can recollect, I was answered that they had consulted the commission and it was only transferring from one class to another, it did not require my recommendation. Well, I do not want to give it, and I have no need to give it.

Hon. Mr. LOUGHEED—I presumed the hon. Speaker would give effect to the recommendation. I apprehend that it will have to be approved by both Houses. I noticed that the Prime Minister in the House moved a similar resolution to that which I have just moved. It will have to be approved by both Houses if effect is to be given to the recommendation, and I presume the recommendation has to be made by both Speakers. That is to say, His Honour the Speaker of the House of Commons would have no authority to recommend that this increase of salary be made and the Commons take action upon it and give effect to it without like action being taken in this House. I assume that the Joint Librarians acted upon it, and the Speaker of the Commons acted upon it,

and His Honour the Speaker of this Chamber placed something on the Table, I am not sure what it was, but assumed that it was an approval of what the Joint Librarians had recommended.

The SPEAKER—It came to me twice, and the first time I gave the answer I have stated. On the second occasion the Librarian said:

> With reference to your note on the subject of Mr. Carter's appointment, we have the honour to forward a copy of the Civil Service Commissioners' certificate, dated October 8, 1915.
>
> Up to that date, the position of accountant had been unsatisfactorily filled by a temporary clerk, who was supposed to pass the examinations. He failed to do so, and Mr. Speaker Sproule refused to continue him.
>
> Our accounts were in danger of falling into confusion, so when Mr. Carter was made available we accepted him gladly and assumed that the Civil Service Commissioners understood their own mode of proceeding.
>
> Mr. Carter's appointment was on probation and he had also been in the service in another department.
>
> Parliament did not meet till January; and owing to the adjournment of the Senate and the confusion of the fire we have not had opportunity till now when the probationary period is over, to place the matter in your hands and recognize your authority.
>
> We regret any apparent want of regularity and respect, and recommend Mr. Carter strongly for confirmation. He has exhibited steadiness and knowledge in his work, and will do justice to your approval.

Under such circumstances I have no objection to approve of the communication, but it struck me when the hon. leader said I had approved that I was not sure that I had done so.

Hon. Mr. LOUGHEED—I assumed that to be the case. I knew the Speaker's good judgment would approve of it.

Hon. Mr. SPROULE—Has Carter passed the qualifying examination for the Civil Service?

The SPEAKER—Oh, yes, a certificate accompanied the letter, and the certificate reads as follows, on page 563:

> Certificate of appointment to subdivision B of the second division, etc.

Hon. Mr. SPROULE—I simply asked the question because it was not clear to me whether he had passed or not, and his predecessor was kept there for some time upon the understanding that he would pass the examination; the first time he was prevented from doing so, but he was retained there until he tried again and failed. He could not legally be kept there any longer, and I was obliged to dispense with his services because of that fact, and I thought likely another would be put in his place.

Hon. Mr. BOSTOCK—Does that apply to the other?

Hon. Mr. LOUGHEED—No, only to Carter the Librarian.

The SPEAKER—I would call attention to the other item in the minutes.

Hon. Mr. BOSTOCK—Is there another matter to be dealt with?

The SPEAKER—I do not know that the Government would want to or not.

Hon. Mr. LOUGHEED—I will look into that to-morrow. I do not know that any motion was moved in the House of Commons in reference to that recommendation. It was made by Order in Council.

OBJECTION TO SENATE PROCEEDINGS.

Hon. Mr. CLORAN—I would call the attention of this hon. House to the proceeding at this separate sitting, which practically is illegal. There are no Orders of the Day.

Hon. Mr. LOUGHEED—We have not yet reached the Orders of the Day. We are dealing with motions.

Hon. Mr. CLORAN—I am talking now of motions. The motions are not on the Order Paper.

Hon. Mr. LOUGHEED—The Order Paper is very small, but it is all right.

Hon. Mr. CLORAN—As I said on a previous occasion, the House of Commons railroads legislation, and we put it through by limited express. Now there should be on the Order Paper the notices of motions and inquiries given at the last sitting, and they are not on the Order Paper.

Hon. Mr. LOUGHEED—We are getting along pretty well without the hon. member.

Hon. Mr. CLORAN—I ask the hon. chairman to rule if this hon. House can conduct business in such an illegal way. Motions and notices of inquiry are not on the Order Paper for this sitting.

The SPEAKER: What motion does the hon. gentleman want?

Hon. Mr. CLORAN—The hon. Speaker ought to know what motions should be on the Order Paper. If he does not know who would know?

The SPEAKER—If I do not know, and the hon. member does not know, I do not see how hon. members should know.

Hon. Mr. CLORAN—Then it is for me to point out to the Speaker his ignorance of the matter. At the last sitting, a day ago, a motion was made and a notice of inquiry was given. It is not on the Order Paper. Now the Speaker should know that. I am telling him.

The SPEAKER—The moment the hon. gentleman tells me——

Hon. Mr. CLORAN—No, I want my statement endorsed by the Clerk of the House.

The SPEAKER—I never received any motion from the hon. gentleman.

Hon. Mr. CLORAN—You did not receive it personally from me, but it is on the Table, received by the Clerk of the House. You cannot split hairs with me that way.

The SPEAKER—Could the hon. gentleman have a copy of his notice of motion?

Hon. Mr. CLORAN—I laid a copy of the motion, and a copy of the notice of inquiry, on the Table.

The SPEAKER—And did the motion recite on what day it would be proposed?

Hon. Mr. CLORAN—The next sitting, because we have no other day to sit.

The SPEAKER—I beg the hon. gentleman's pardon.

Hon. Mr. CLORAN—All I want to know is this, if I can now ask the hon. the leader of the Government whether he is prepared to answer my inquiry in regard to the Extension Bill, and secondly, if he is prepared to bring down the papers and documents regarding the Extension Bill passed between the Imperial Government and the Government of Canada. These are matters of public importance.

Hon. Mr. LOUGHEED—My hon. friend would have to do that by way of address. I can tell my hon. friend that the legislation which he is so very desirous of seeing passed by the Imperial Parliament is now before the Imperial Parliament.

Hon. Mr. CLORAN—It is about time. Since when?

Hon. Mr. LOUGHEED—I cannot tell my hon. friend the date.

Hon. Mr. CLORAN—You cannot tell? Who can tell?

The SPEAKER—Order. The hon. gentleman should understand that he has no right to address an hon. member the way he does.

Hon. Mr. LOUGHEED—Before the Imperial House, and this Parliament has nothing more to say about it.

The SPEAKER—Orders of the Day.

QUEBEC AND SAGUENAY RAILWAY BILL.

On the Order of the Day being called.

Resuming the adjourned debate on the motion for the second reading of Bill 101, an Act to authorize the acquisition of lines of railway between the city of Quebec and Nairn Falls and between Lyster and St. Jean des Chaillons.

Hon. Mr. BOSTOCK—This Bill has been brought down to us in the last hours of the session, and the leader of the Government this afternoon did not give us a very full statement of the object of the Bill or the railways to which it refers. Coming as I do from a part of the country distant from that in which these railways are located, I feel that I have not had all the time I could desire to examine into this matter and study the whole situation. The papers that have been brought down to the House contain very long reports made by the Minister of Railways and Canals on these three different railways and the value of them, and contain a great deal of information exceedingly valuable to this House, but in the short time that we have had to look at those papers it has been almost impossible to get a thoroughly detailed statement that I could present to the House in speaking upon this matter. The railways we are asked to deal with are apparently three separate pieces of railway. One is known as the Quebec, Montmorency and Charlevoix railway, with a length of forty-three and one-fifth miles. That I understand is on the north shore of the St. Lawrence river, and connects up with the Quebec and Saguenay. The Quebec, Montmorency and Charlevoix railway, as I understand it, is a line in operation, and is operated to-day as an electric road. The proposal is that this railway and the Quebec and Saguenay railway shall be joined together and form one continuous road. Then there is a third road —the Lotbinière and Megantic railway— which is on the other side of the river, I cannot see very clearly why that road should be joined with the other two. According to the information that I

have been able to obtain, that road is on the south shore and entirely distinct from the other two; but it is put in with the others in this one Bill. Now, as far as I can understand from the statement of the leader of the Government this afternoon, we are in this Bill asked to specify that the valuation shall be referred to the judge of the Exchequer Court and that he shall not value these roads at a larger amount than $4,349,000. In addition to that, we assume a liability of $2,500,000 worth of bonds, making a total of something about $6,800,000. Now the whole question turns on what really is the value of those roads. The proposal is to leave that to be decided by the judge of the Exchequer Court; but what we have to consider at the moment is whether the country is justified, at the present time, in making an expenditure of this kind. This Bill, as I said before, is brought down to us in the last days of the session; we have very little time to consider it; and we are asked to pass this Bill, which would enable the Government to take over these three roads and commit the country to this expenditure. Further than that, if I am rightly informed, we should not only have to put up this amount of money, $4,349,000, and assume further liabiltiy under the bonds, but we should further have to commit the country—

Hon. Mr. LOUGHEED—My hon. friend says assume the liability under the bonds. What does my hon. friend mean by that? No matter what the bonded indebtness may be, we only assume $2,500,000 of that indebtedness. I hope I make myself clear on that.

Hon. Mr. BOSTOCK—There is a bonded indebtedness over that?

Hon. Mr. LOUGHEED—There is a bonded indebtedness exceeding that $2,500,000. There are two issues of bonds; an issue on the Quebec, Montmorency and Charlevoix Railway of $2,500,000, and a bonded indebtedness of the Quebec and Saguenay road of approximately $4,500,000. But the only bonded indebtedness that we are assuming and restricting the valuation of the Exchequer Court to is $2,500,000. Beyond that we assume no responsibility.

Hon. Mr. BOSTOCK—That of course does not touch the point that I was making, whether we were justified in asking the country to assume this amount of $2,500,000 bonds, the amount of $4,349,000 which may have to be paid out in cash, and the further liability of the amount of money that would be necessary for putting this Quebec and Saguenay road in a condition that it can be operated. I understand that this Quebec and Saguenay road is at the present time not in operation; that it is a road that has been constructed and has lain idle for one if not two years; that there are no bridges built on the road; and that some of the concrete work even was not completed. The condition of the road has been stated to be about 87 per cent completed, at a cost of somewhere about $89,000 a mile. That is putting a great liability on the country, and one that I submit we are not justified in doing at the present time. The Government have been holding out to the people this session the great liability under which the country has been placed by the railway policies that we have pursued in the past, the enormous expenditures that we have had to assume in order to carry on roads that we made ourselves responsible for, and the liability which we incurred when the country was very much more prosperous and was not faced with the burden of war which it has to face to-day; and we have heard the hon. member of the Government in this House telling us of the enormous burden placed on the country by this railway policy in the past; and I think that it is time that hon. gentleman in this House considered whether we should not hesitate before committing the country to any greater expenditure at the present time. We have been quite ready in this House to do everything, and to support every measure that the Government brought down for the purpose of prosecuting this war, and we know that the war is going to lay a great burden upon this country. I do not think that the Minister of Finance to-day can say how much he is going to have to ask the country to give him to carry on the war for the next 12 months, because I notice in one of his speeches a short time ago he had already increased the amount that he considered he would have to borrow in order to carry on the business of the country, from $250,000,000 to $300,000,000. It appeared to me that since he announced in his Budget speech that he would probably have to borrow as much as $250,000,000 this year he has seen cause to revise his figures and it may be necessary to increase the amount to $300,000,000. That will show hon. gentlemen the position that we are in to-day, the amount of money that we may have to raise and the increased burdens that we will have to place upon the people. Considering these

things from that point of view, I do not consider that we are justified in asking the country to put up the money called for by this Bill. Now we might consider this question from another point of view. The people of this country to-day are asked to raise money for the Patriotic Fund, Red Cross Fund and other works of that kind for the purpose of carrying on necessary works in prosecuting the war; and the amount of money raised in that way would not equal the amount of money that we are asked in this case to pledge the country to. When the people of Canada realize the amount of money that this whole scheme will cost, I think they will consider that it is not an undertaking that the Government should be dealing with at the present time. Some years ago when the country was in a much more prosperous condition than it is to-day, the Minister of Railways was asked to take over one of these roads and make it a part of the Intercolonial railway, but he did not feel himself justified at that time in doing so. He considered it was not in the interest of the country that the Intercolonial railway should be buying up railroads here and there simply because men who had put their money into them and had floated the bonds on these roads found they were not as prosperous as they had expected, and they were not getting the return for their money that they had hoped for. Therefore, if we were not justified, in the opinion of the then Minister of Railways, in taking hold of that Lotbinière and Megantic road, I do not consider we are justified in taking hold of it to-day, when we have so much heavier burdens to place upon the people of this country. Owing to the war the Minister of Finance has had to place on the people of this country direct taxation for the purpose of helping to defray the cost of this war. He has had to cause the people of this country to pay an extra cent on every letter they post and two cents on every cheque they draw, and a number of other taxations of that kind. The people will pay those taxes willingly if it means that the money will be used for the purpose of meeting the burdens placed on the country by this war, but I doubt very much whether the people will feel that they are justified in paying these taxes if the Government use their money for the purpose of buying railroads of this sort, which are not paying concerns, which may be said to be non-producing railroads in any shape or form. It will be many years before they can be put in any position to produce a revenue to pay the interest on the money that has been spent upon them. The other day there was a long discussion in another place on the question of the Government taking over all the railways of the country and assuming the nationalization of the railways. If the Government is to be called upon to take over those railways and pay for them a great deal more than any business man would pay for them, I consider that it would be one of the very strongest arguments against any proposal for the nationalization of the railways of this country. The people will consider that the Government at the present time should do everything they can to conserve the resources of the country and prevent waste of money, but while the members of the Government have been telling the people from one end of the country to the other that they must economize and save money in every possible direction, they set the worst possible example in proposing to buy out roads of this kind, and turn them over to the Intercolonial railway and the National Transcontinental. Hon. gentlemen here have not had a great deal of time to consider this Bill. When they come to look into it I think they will feel that they are not justified in placing on the country to-day a burden such as this Bill calls upon them to carry. The burdens of the country are increasing enormously in a financial way, and at the same time, I regret to say, our population is not increasing nearly as fast as it did years ago. With a population that is increasing slowly, we will have to meet a burden for interest on indebtedness such as this country has never had to face before, and the people will find themselves burdened with taxation which will take them a very long time to overcome. The Minister of Inland Revenue found it necessary the other day to place a tax on all business enterprises in this country. He took 25 per cent of the profits of companies after they had paid 10 per cent dividends, for the purpose of supplying the money necessary to help prosecute the war, and yet we find the Government is asking us now to pass a Bill which will cause them to incur an expenditure that will eat up at least one-third, if not more, of the proceeds of that tax. These are the reasons why I consider that this House would not be justified in passing this Bill. I therefore move, seconded by Hon. Mr. Watson,

that this Bill be not now read a second time, but that it be read a second time this day six months.

Hon. Mr. DANDURAND—If I allowed myself to be swayed by my prejudices I could hardly resist the temptation of voting for the amendment which has just been moved. But legislators must free themselves as well as they can from these impediments to taking a clear view of the matters that are brought before them. This proposition contains no vital principle. It is a demand by this Government that it be empowered to buy three railways, or bits of railways, belonging to three different companies, but held by one and the same holding company, the Quebec Railway, Light, Heat and Power Company. The matter, as I have said, would be easy of solution at any other time than now, when Canada needs to husband all its resources to meet the demands that will presently be made upon the treasury. The proposition could be very easily examined into and decided if the railway company, or the railway itself called the Quebec and Saguenay, had not a bad name, and had not given a very bad name to Canada abroad. The history of this railway is a very painful one, indeed—painful for all those who have had anything to do with it, and more painful for Canadians who are interested in preserving the fair name of Canada outside of its boundaries. I will relate it in as few words as possible. The Quebec Railway, Light, Heat and Power Company was formed to purchase the public utilities of the city of Quebec, tramways, light and power. It had a large issue of common stock. That common stock, after the company had been formed, declared a first quarterly dividend, which it is asserted was not earned, nor the second and third. That common stock was put on the French market. Millions of dollars of that stock found their way into the pockets of the French investors. I believe that that institution could perhaps have continued to pay its dividends if it had limited its operations to the utilities which it handled within the city of Quebec. It was of most vital importance at the time that any stock sold in the French market should be gilt-edged. We were in the hope of drawing French capital to a considerable extent towards Canada. France had made the great error of coming into the American market 50 years after it should have come; and a number of Canadians were urging French capitalists to come at this time into Canada, that things were beginning to boom and develop. Unfortunately, these hopes were shattered by the operations to which I shall refer. The Quebec Railway, Light, Heat and Power Co., controlled by Sir Rodolphe Forget, decided to endorse the bonds of the Quebec and Saguenay in order to finance the road to reach Murray Bay and the Saguenay river. The effort was a laudable one, but it proved disastrous, because these bonds of the Quebec and Saguenay, which I really believe were sufficient to complete the road from the end of the Quebec and Montmorency at St. Joachim to Murray Bay, were not applied to that part of the line, or wholly so. At the same time, the member for Charlevoix county in the House of Commons had great hopes of the development of the pulp industry in that county, and organized the East Canada Power and Pulp Co. to establish a pulp industry some seven or eight miles from the shores of the St. Lawrence inland on the Murray river. He began by building, with the proceeds of these bonds, seven or eight miles of railway from the shores of the St. Lawrence to Murray Bay to the pulp mills. At the same time he placed on the foreign market a million and a half of bonds of that East Canada Power and Pulp Co., the majority of which were taken up by the French investor. The first three months' or six months' interest on those bonds was not paid. The company defaulted and went into liquidation, and the enterprise was a total wreck. The result was that the Quebec and Saguenay found itself without sufficient money to build that road from St. Joachim to Murray Bay, and the bonds which had been placed on the French market received a very bad reputation.

Hon. Mr. DAVID—There were two issues of bonds.

Hon. Mr. DANDURAND—I am speaking of the bonds issued for the Quebec and Saguenay, but I may say that the company of this date, as far as I know at present, has not defaulted in the payment of the interest on the bonds of the Quebec and Saguenay, but of course in the presence of the difficulties which the investors knew to exist, of the stoppage in construction, faith in those bonds was shaken, and their value cut in half. That issue of bonds, which was put on the French market, was $4,684,400 realizing at from 82 to 84 per cent, a sum of $3,822,315. At the same time

the dividends on the common stock of the Quebec Railway, Light, Heat and Power Company, the holding company, were passed, and that stock, which had been sold at from fifty to sixty in the French market, and absorbed to the amount of a few millions, went down to a few cents. At the same time, when things start going wrong they seem to follow down grade. The member for Charlevoix took it into his head to found a French bank with French money in Montreal, La Banque Internationale. The fact of his failure staring him in the face led him into questionable financing, La Banque Internationale, on the pretext of paying a commission for the organization of the bank, advanced $200,000, and this broke the back of the bank as far as the confidence of the French shareholders went, and hon. gentlemen know the result. La Banque Internationale had to sell out. After these very distressful operations on the French market, it is useless to say that those who desired that the fair name of Canada should be protected outside, and more especially in London and Paris, felt that this enterprise had really been disastrously steered. As I have said, if I allowed my resentment at such questionable operations to influence my judgment, I would be disposed to vote the six months' hoist proposed by the hon.gentleman from Kamloops. If I had the responsibility of proposing the legislation which is before us, I would suggest another course, but it is put before us by the Government, which is responsible for the administration of the affairs of Canada, and more especially the finances of Canada, and we have the affirmation that the millions invested in that road will gradually disappear if we allow the present condition of things to continue, as the roadbed is frittering away with nothing to protect it. Now what is the proposal of the Government? That it might assume the bonds of the Quebec and Montmorency railway for $2,500,000 if the company establishes that it expended that amount. The company claims that the money spent on the Quebec and Montmorency is $2,992,209. The Government engineer who was sent to make an investigation claims that the road, with terminals, could be duplicated at this moment for $1,115,000. He fixed the cost of the terminals at Quebec at $68,000. I have no special knowledge of the value of those terminals, but it is alleged by the company that any one who knows those terminals would admit that it is a much too low valuation. Yet the Government says that if the company establishes before the Exchequer Court that the expenditure of $2,500,000 has been made, we will assume the bonds of that institution. As to the Quebec and Saguenay, 62 and 8-10 miles from St. Joachim to Nairn Falls——

Hon. Mr. LOUGHEED—I do not wish to interrupt my hon. friend, but we have drawn no distinction as between the three sections.

Hon. Mr. DANDURAND—I know.

Hon. Mr. LOUGHEED—Consequently there is no assignment in the Bill of an application of the proceeds of the bonds toward any particular section of the road.

Hon. Mr. DANDURAND—I know that, but the Acting Minister of Railways, and the Solicitor General I think as well, have said that it is those bonds of the Quebec and Montmorency which they would retain, inasmuch as they are long-term bonds at a low rate. The Quebec and Saguenay situation is the following: Bonds have been issued upon them for $4,684,400; they have realized $3,822,315. The company claim to have expended besides $1,050,000 plus the sum of $461,000 which is unpaid for right of way and other liabilities, making a total expenditure of $5,333,315. I stand to be corrected, but I hurredly looked at the documents which my hon. friend has brought down since we adjourned this afternoon, and I find that the engineer values the reproduction of the works, which apparently, according to the affirmation of the the company cost $5,333,315, at $3,202,000.

Hon. Mr. LOUGHEED—That is the work which has been done.

Hon. Mr. DANDURAND—The work which has been done exclusive of depreciation. Now I am not speaking of the Lotbiniére and Megantic railway, which is valued at $330,000. I simply mention it for the purpose of deducting the sum of $330,000 with the $2,500,000, which would represent the extreme sum which the Government would pay for the Quebec and Montmorency, and find that the sum which would remain if the judge of the Exchequer Court gave the maximum amount which is mentioned in the Bill for the securing of the Quebec and Saguenay, would be $4,135,000. Well, I will bring this $4,135,000 by the side of what the company claims it has expended, $5,333,315, and it would show that if those figures are right the company will be short by some $1,200,000, but would be long if I brought this $4,333,000 as against

the engineeer report which fixed the amount at $3,202,000, to the extent of some $1,100,000. In the face of such a discrepancy in the figures given by the company and the figures that are given us by the chief engineer of the Intercolonial railway (if I am not mistaken that is his title), who made this report and of the fact which is most exceptional, that in October last, I think, the company made an offer to the Government declaring that its total cost in the purchase of those three roads and the amount it would ask was $600,000 odd less than the amount it now asks, we should proceed cautiously. The president, it is true, says that it was through a miscalculation, or misinterpretation of his demand upon his accountant that this error happened. But when we have this large discrepancy between the figures of the company and those of the chief engineer, and when, besides, we have the fact that this 62 and 8·10 miles which are only constructed to the extent of 87 per cent, cost at this moment, if we take the figures of the company, about $80,000 a mile, it seems to me that we should be somewhat prudent in the mandate that we should give the Judge of the Exchequer Court. Now, that judge will have to accept as a basis for his examination of the value of this road, the following direction:

2. The consideration to be paid for each of the said railways and for any equipment, appurtenances and properties that may be acquired as aforesaid shall be the value thereof as determined by the Exchequer Court of Canada; said value to be the actual cost of said railways, less subsidies and less depreciation, but not to exceed four million, three hundred and forty-nine thousand dollars, exclusive of outstanding bonded indebtedness which is to be assumed by the Government, but not to exceed in all two million, five hundred thousand dollars.

Hon. Mr. DAVID—That is the maximum.

Hon. Mr. DANDURAND—That is the maximum; that would mean $6,849,000, that is to say, being the $4,349,000 and the $2,500,000 of bonds which the Government would assume. Now, if we pass this Bill in the shape in which it is, the Judge of the Exchequer Court will simply have to determine if the actual cost of said railway reaches a sum of $6,849,000.

Hon. Mr. CLORAN—Is that the whole system?

Hon. Mr. DANDURAND—That is the three railways. Under this clause, as I read it, it seems to me that the judge would simply have to be shown the expenditure by the company of the money upon those roads to make his addition and find out what actually has been paid, or what actually those three roads have cost the company to date. Now, the expenditure of $80,000 a mile upon an uncompleted road, without any stations, without any rails, so to speak, seems to be such a large amount that the judge, in my opinion, should be given a little more leeway in finding what has been not only the actual cost, but the reasonable and necessary cost.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DANDURAND—Those expressions—"actual, reasonable and necessary cost"—are to be found in the Act which allows a company to claim a double subsidy by establishing that it has spent more than $15,000 a mile, if they can establish that that cost is the actual, reasonable and necessary cost. It seems to me that if the company can with a clear conscience establish a bona fide expenditure of the amount which they claim to have spent, they would not refuse to enlarge to a certain extent the mandate to be given under this Act to the judge of the Exchequer Court in order to satisfy the public, whose suspicions have been aroused by the extraordinary financial dealings of those companies which have ended in such a disastrous way.

Hon. Mr. DAVID—The other matter shows that the judge is bound by the words "actual cost."

Hon. Mr. DANDURAND—I will leave to my hon. friend the weighing of the words. When the judge is given a direction it is in the following words: "Said value to be the actual cost of said railways, less subsidies and less depreciation."

Hon. Mr. CLORAN—Who is going to prove the actuality of the cost?

Hon. Mr. DANDURAND—As far as I can make out, the actual cost will be established by the books of the company.

Hon. Mr. DAVID—By the company itself.

Hon. Mr. DANDURAND—If my hon. friend thinks that it means more than that, I shall be glad to have his opinion, but I do not see why we should not make it clear that the judge will have to be satisfied that

there was an actual, reasonable and necessary expenditure of the amounts which the company will have to prove.

Hon. Mr. BOLDUC—Do you not believe that the engineers who have been occupied in construction of that road will have to be called to establish the amount that has been expended?

Hon. Mr. DANDURAND—I doubt it, under the wording of the clause, but I have no doubt that they will have to if this Chamber adds the words "reasonable and necessary expenditure." Of course, my suggestion does not bear upon the second reading. I wanted to state exactly what was my view of the Act. If the Bill goes to committee it will then be time to move the amendment.

Hon. Mr. BEAUBIEN—The Quebec and Saguenay Railway has had a somewhat unfortunate existence, but I do not know whether the promoters are entirely responsible for it. A witty Irishman once said that if his foresight was as good as his backsight he would be an admirable business man. But whatever may have been the past history of this road, it seems to me that it is no use taking it into account now. What we have to consider is present circumstances, actual conditions. Briefly what are they? You have a population of about 60,000 people locked up in the mountains on the north shore. They have no access or egress during the entire winter. During the summer they only have the steamers.

Hon. Mr. MURPHY—In fine weather.

Hon. Mr. BEAUBIEN—Those people have paid for the railroads enjoyed by every other ratepayer in the Dominion; they have paid their full share. For 150 years they have had nothing at all, and they come to this Parliament now and say, "Are we going to be forsaken forever, or are you going to give us a fair share of transportation facilities?" This, it seems to me, is the position as far as the population of that section of the country is concerned. But there is more; you must add to the 60,000 people that live there——

Hon. Mr. CLORAN—There are more than that.

Hon. Mr. BEAUBIEN—The population of the city of Quebec, a great many of whom travel constantly to Murray Bay and all those seaside resorts, and I might add a considerable portion of the population of the whole province of Quebec and even a great many Americans. From the viewpoint of the inhabiting population and of the travelling public this railway is required, and badly required, in that section of the country. There is another reason which strongly recommends the adoption of this measure. A great deal of money was spent in constructing the greater part of the Quebec and Saguenay, and that money is going to waste every day. The road that has been partly built is being washed away every day by the St. Lawrence. Of the money expended, $350,000 has now been sunk to the bottom of the river. If we wait two or three or four years more, how much of that will be left? Is it not worth making an effort to save that money? It is true, hon. gentlemen, it is not an opportune time to spend money on railways; everybody admits that; but what is really the proposition submitted? This is the way it strikes me. There are three railways that the Government intend buying. How much money has been spent on each of them, and how much money do the Government intend paying for each of them? This is the way the case stands now. The Quebec and Montmorency has cost $2,992,000 in round figures; how much do the Government intend paying for it?—$2,500,000.

Hon. Mr. CLORAN—To get the road.

Hon. Mr. BEAUBIEN—Yes, to get the road. The Lotbinière and Megantic has cost $349,000 in round figures. How much will the owners get for it?—$330,000.

Hon. Mr. CLORAN—The Government is to get the road.

Hon. Mr. BEAUBIEN—The Quebec and Saguenay has cost $4,872,000. The owners in addition are indebted for it to the extent of $461,000, making in round figures $5,333,000. Out of this amount must be deducted their subsidy. They have already received a subsidy from the Federal Government of $132,000. What is the net cost to the owners? $5,201,000. How much can they get? $4,349,000.

Hon. Mr. CLORAN—And the Government gets the road?

Hon. Mr. BEAUBIEN—Yes. How is it intended to pay for it? The Government has said this: the owners of the road will have to go to the Exchequer Court and establish the actual cost. In my opinion, it means the actual cost value. Like any individual whose property is being expropriated, they will be required to make proof

satisfactory to the judge of the Exchequer Court, as to whose integrity and ability everybody is satisfied.

Hon. Mr. CLORAN—Subject to counter-proof.

Hon. Mr. BEAUBIEN—I understand the judge will only accept conclusive proof. Therefore, if there is any doubt in his mind he will, as in duty bound, make that quite clear. They will have to go to court and put in all particulars of the actual value of those roads, and when they do that, if the value should exceed the sum of $4,349,000, they lose any balance in excess thereof.

Hon. Mr. CLORAN—Is that on the three roads or on the one?

Hon. Mr. BEAUBIEN—That is on the three roads. They will come down and prove No. 1, Quebec and Montmorency, they will prove No. 2, Quebec and Saguenay, and they will prove No. 3, Lotbinière and Megantic, making a grand total of so much. The Government will first of all assume bonds for $2,500,000; that will be the first payment, and then will in addition give cash not exceeding the figure I have mentioned. Let us see if we can briefly find out how much those roads are worth, roughly speaking. A great many people in this House no doubt know the cost of railroad construction. This is a difficult road to build. It has been cut, practically, through a solid cliff of rock. Everybody knows the north shore of the river St. Lawrence. The total cost to the country, by the assumption of those bonds, and by the payment of the sum I have mentioned will aggregate a grand total of $6,965,000. The Government can pay that, but it cannot pay more than that sum. What assets will the Government acquire by the payment of that sum? There is one asset which is easily appraised. It is 135,000 square feet of land situated in the best portion of the city of Quebec, a part of which I understand has been paid for by the Government at $12 a foot. There is no getting out of that. How much is that? $1,620,000. Now there are buildings upon this plot of ground which I have been informed are worth $180,000. This amount added to the $1,620,000 makes a total of $1,800,000 which everybody can ascertain. Deduct $1,800,000 from the amount of $6,965,000, being the maximum the Government will have to pay. What balance is left? It is a little over $5,000,000 or exactly $5,165,000. That will be the cost to the Government of these three roads, less the cost of the Quebec terminal. But the Government will have to finish the road. I understand there are two opinions as to the amount of money required to complete them. One engineer estimates the amount required for this purpose at $700,000. and the other at $1,000,000. Let us strike a medium between the two and make it $850,000. That would give a grand total of $6,015,000 for the whole of the railroad completely finished and ready to operate. These roads comprise 136 miles, which means a little over $44,000 per mile. Anybody who has gone down the river St. Lawrence and knows the north shore will readily admit that this is not in the least an exaggerated price.

Hon. Mr. CLORAN—Cost more on the prairies.

Hon. Mr. BEAUBIEN—What is going to be the revenue from these roads, roughly speaking? The two roads that are now paying a revenue, the Quebec and Montmorency and the Lotbinière and Megantic bring in $83,000. The Government is now spending, because there is no railway on the north shore, $80,000 that can be saved. It is paying for the transportation of mail to other railways about $5,400; for the operation of the Intercolonial railway, Rivière Ouelle branch, $22,000, and $52,000 for the ferry from Rivière Ouelle to Murray Bay, or in round figures $80,000. Add this saving of $80,000 to the $83,000 produced by the Quebec and Montmorency and the Lotbinière and Megantic and you obtain a total of $163,000. Now, hon. gentlemen, is it not fair to think that the Quebec and Saguenay will earn something? On the same ratio of earning per mile as the Quebec and Montmorency, the Quebec and Saguenay ought to earn $120,000. Therefore in savings, in actual and most probable earnings, we have in sight practically 5 per cent on the amount invested. Under these circumstances I will certainly vote for the Bill.

Hon. Mr. CLORAN—It gives me very much pleasure to hear the statement made by the hon. gentleman from Montarville, giving the topographical and geographical merits of the question before the House, in addition to the remarks from the hon. senator from de Lanaudière on the financial side of the question. That phase of the question has been put fairly and squarely before the House. The last hon. speaker has put the needs of that district and section of Canada before the House and I congratulate him on his statement. We have been in the past, Quebec especially, quite

prepared to pay any amount of millions for railways in the West, in the Northwest, through the mountain passes, and through the sea of mountain to go to Vancouver. We have not balked at it, but we voted the money cheerfully. The people of the province of Quebec, when there was nobody in the Northwest except a few halfbreeds and Indians to pay for anything, built a road up there. We built the road from Halifax to Quebec when the population of the Maritime Provinces was mighty slim and not very rich, and I remember the time—and I fancy many of the hon. members here will remember, especially the gentleman who now occupies the chair—when he formed one of La Maison Blue under the Langevins, the Girouards, the Chapleaus and the Ouimets. I think he was one of the leading spirits of La Maison Blue in 1884.

Hon. Mr. MURPHY—And he is yet.

Hon. Mr. CLORAN—And the hon. ex-Prime Minister is not here to listen to the reminiscences of his past. When Sir John Macdonald hesitated to grant to the Canadian Pacific Railway an extra $30,000,000, after having given them 25,000,000 acres of land and 670 miles of the branch on the north shore of lake Superior built by Mackenzie, and after having got a tremendous amount in cash, these same people from the West came to the Dominion Parliament asking for a loan of $30,000,000. Sir John hesitated, and hesitated so much that Lord Mount Stephen, who was a plain citizen at that time, was leaving the city of Ottawa a discouraged man, because the Bank of Montreal was on the verge of bankruptcy if the $30,000,000 was not granted. And what happened? In spite of that serious condition of things, the hon. Speaker and his leaders formed a cave called La Maison Blue, and said: "If the Canadian Pacific Railway is going to get $30,000,000 for the West, Quebec has got to get its share too, and it has got to stand by the road that runs now from Quebec to Ottawa, the North Shore railway," and the fight went on with La Maison Blue for days and weeks, and finally a man who afterwards became the Speaker, a minister in the Government, and a judge of the Supreme Court of Quebec, said, "Stand by your demands," and the cave of La Maison Blue stood by their demand, and Sir John, so as to get Parliament to vote $30,000,000 for the Canadian Pacific Railway, had to grant $14,000,000 for subsidies to Quebec. That was the beginning of railway legislation in this Parliament, and I think the hon. gentleman from Argenteuil was one of them. If I am not mistaken, although he is English, he stood by his confreres from Quebec in that demand, and I think the hon. gentleman from Lauzon stood by his confreres, and I think the hon. gentleman from Montmagny, if he had been in charge, would have stood by them too. I think the Hon. Mr. Fiset stood with them. I do not see a Quebec senator that did not stand behind that demand on Sir John Macdonald when they said: "If you are going to give everything to the West, why not give a few crumbs from the table to Quebec?"

Hon. Mr. WATSON—I voted against it.

Hon. Mr. CLORAN—The hon. gentleman is from the West. There is the history of this legislation of granting money to corporations. Sir John Macdonald yielded. It was not his intention or desire to grant the $30,000,000, but he had to do it. It turned out well. The Bank of Montreal was saved; the road was built, and is to-day a credit, not only to Canada, but to the imperial enterprises of the Empire. Now we are asked to-day to vote a sum of money to buy and become proprietors of a road in a district which has had no railway communication since the days of Adam, which is a long time ago. They are there on the north shore locked up by snow and ice for seven months in the year, and the hon. senator from Montarville said there were 60,000 of a population. I think his calculation is small. There are more than that from Quebec to Saguenay. You have got three or four counties. Each county must have at least 15,000 to 20,000. You have more than 60,000 from Quebec down to Chicoutimi and all these places, so when the hon. gentleman said there was 60,000 he was not over the mark, but under it. These people are locked out for seven or eight months in the year, having no communication with the outside world except by sleds. How is this Parliament going to keep them in that condition? Have they not earned their spurs? Have they not contributed to the wealth of the country? Have they not given good citizens to the country? Anybody who has travelled from Quebec down through Baie St. Paul, Murray Bay, Chicoutimi and Saguenay will know they have what they call sturdy Canadians. They are not all French. I want this hon. House to understand that a good portion of the population on the north shore of the St. Lawrence is composed of

Scotch, English and Irish from the old regiments that England brought over here for the conquest of Canada. They settled on the north shore of Murray Bay. Murray Bay is as French as you can make it, but Murray was one of the officers of the English army who settled there and gave his name to the place. All these English, Irish and Scotch officers who settled there over a hundred years ago, are more French to-day than the French themselves, and we are asked to leave that population which has done so much for us, tied up, I say it is not fair, and I say plainly that while I in no way favour extravagance, or unusual expenditure of money, yet when I see a wise Parliament donate to railway schemes, not two or three millions, but hundreds of millions, what is in the air to prevent Parliament granting to the secluded inhabitants of that portion of Quebec some relief? We thought nothing of voting $45,000,000 to the Canadian Northern railway two years ago. To-day fifteen million is only a flea-bite, and this Parliament is asked to refuse a few crumbs to the province of Quebec. What does it mean? Have we got two measures and two weights? What has the Canadian Northern railway done for Canada more than those people on the north shore of the province of Quebec? And it is the people of the provinces of Quebec and Ontario who are largely paying; they are paying per capita five-sevenths of the expenditure. There are not more than 700,000 people in the Maritime Provinces; not more than 1,500,000 in the whole of the Northwest, and we are 5,000,000 in the balance of Canada. So that Ontario and Quebec are paying to build those roads through the West, and we have no hesitation in voting millions upon millions to those who undertake those noble enterprises—that is the word, they are noble, but very, very unproductive, they do not pay; but all Canadian Governments are at their feet. All they have to do is to put their hat out and the Canadian Government, be it Liberal or Conservative, throw the money into the hat. Now when it is proposed to acquire railroads in Quebec which are already paying expenses and paying dividends, two of them—not as a loan or for maintenance, but actual acquisition—there is an objection. Well, hon. gentlemen, I am not going to bow down to that objection. I do not care who Rodolphe Forget is. He may be a "Sir" twenty times over; he may have led foreign investors into error; he may have enticed them to lose their money in his propositions; with that I have nothing to do. All I know now is that there is a proposition before Parliament to acquire three railroads of certain mileage with a certain equipment, with certain revenues. I am prepared to stand by that bargain, irrespective of what has passed, irrespective of what the hon. senator Dandurand has told us in regard to the disastrous results which have clung to the transactions of Sir Rodolphe Forget and his associates. I accept the responsibility here to-day as given to us by the Government, that this region of the province of Quebec is entitled to have that service, and I believe the Government has taken the proper precaution to safeguard the interests of the public in the matter.

The House divided on the amendment, which was lost on the following division:

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Hon. Mr. WATSON—I think probably Mr. Thorne forgot that he was paired with Mr. Thompson.

Hon. Mr. THORNE—I only paired with Mr. Thompson for yesterday. I told him I would pair with him for yesterday.

Hon. Mr. DANIEL—I did not vote because I was paired with the Hon. Mr. Beith. If I had voted, I should have voted against the amendment.

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

The House resolved itself into Committee of the Whole on the Bill.

In the Committee.

On clause 2:

Hon. Mr. DANDURAND—I stated that I would move in committee an amendment to this clause, and I now move that the words "reasonable and necessary" be included in clause 2 after the word "actual," so that that part of the clause would read:

The value thereof as determined by the Exchequer Court of Canada, said value to be the actual, reasonable and necessary cost of said railways, less subsidies, etc.

I need not repeat the argument that I made. My object is to enlarge the mandate given to the Judge of the Exchequer Court and examine into the reasonableness and necessity of the expenditure made by the company on those roads; otherwise I feel that there will be a limitation which will prevent the judge from going beyond examining into the amount of money that was actually paid upon the railway.

Hon. Mr. DAVID—What does the leader of the House think of that amendment? Does he object to it, and what would be the effect? I would vote against the amendment if the effect of it was to kill the Bill.

Hon. Mr. LOUGHEED—I think my hon. friend who has moved this amendment has misinterpreted the meaning that would be attached to the words "actual cost," because in his first speech he reasoned that it would be necessary to produce the books, and that the books would be evidence of the actual cost. Now my hon. friend is placing actual cost and expenditure upon the same plane. If the books will be evidence of the cost, that means that the expenditure made upon the road must be the standard of the cost. Now, that is clearly not the case. It would seem to me that the books will in no way be conclusive evidence as to what the cost is, because the books would only at the most be evidence of expenditure. Expenditure would not necessarily mean actual cost. A very reckless expenditure might be made in carrying out the work, and it would be folly to say that because a reckless expenditure was made upon the work it was, therefore, the actual cost of the work. If my hon. friend leaves in the words "actual cost" and adds to them "reasonable and necessary," it seems to me to be adding complexity to an expression which my hon. friend has already invested with a good deal of mystery; because if the word "actual" be left there, then why put in "reasonable"? Why put in "necessary"? Are they not all synonymous expressions? Or might not the word "reasonable" be interpreted by a court as something beyond actual—assuming for a moment that the work had been done on the minimum cost it might very well be said, that is not the reasonable cost; we can very well place an increased percentage on that, and then it would not be more than reasonable. Then, again, the words "necessary cost" would seem to me to be surrounded with a good deal of indefiniteness. What might be necessary? I would say, looking at this in a broad, commonsense way, that it would be for the Exchequer Court to determine what is the value of that road. As my hon. friend behind me said in speaking, what can that work be duplicated for? Assuming that the same standard of cost existed to-day as when it was done, what could we do it to-day for? It seems to me—I say it with all deference—that my hon. friend is not improving the language of the expression by adding the words "reasonable and necessary," but is rather mystifying it.

Hon. Mr. ROSS (Middleton)—I would like to point out to the hon. gentleman that he is widening the word "actual" very much, and he is going to let in promotion charges and charge for floating bonds, and kindred expenditures of that kind as being reasonable and necessary in the construction of work of that kind. I think that the word "actual" is by far the safest expression. There is a case in the Exchequer Court of the Montreal Suburban Street Railway Company that throws light on that, and where that evidence was let in.

Hon. Mr. BOSTOCK—I understand the argument of my hon. friend to be that the actual cost of the road would be what the road actually cost at the time it was constructed, and that the idea of this clause was that the judge of the Exchequer Court, in trying to arrive at the price that is to be paid, will have to take into consideration the actual cost of the road at the time the road was built.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—And then deduct from that the subsidy and what he considers right for depreciation.

Hon. Mr. LOUGHEED—That is what the road should have cost at that particular time.

Hon. Mr. BOSTOCK—Yes, that is not what the road would cost to-day, for instance.

Hon. Mr. LOUGHEED—No, I instanced that by assuming for a moment that materials and labour are the same price to-day as then, what would it cost to-day to do the same work?

Hon. Mr. DANDURAND—Of course I am not on the ground where I would claim an even standing with my hon. friend. This is English, and English expressions, but I took for granted that the words, "said value to be the actual cost of said railways" meant what would be interpreted as represented by the actual expenditure made by the company.

Hon. Mr. LOUGHEED—May I interrupt my hon. friend again. Would not the Bill then have said, "the said value to be the cost"—what it cost?

Hon. Mr. BOSTOCK—But it is not what it cost, but the actual cost.

Hon. Mr. DANDURAND—Then I suppose my hon. friend takes the word "cost" as a synonym for value?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANDURAND—The actual value of said railway?

Hon. Mr. LOUGHEED—No, I do not think the actual value; what it actually cost, or what it should cost, and what it can be done for under similar conditions.

Hon. M. DANDURAND—It struck me that if we added to the word "actual" the words "reasonable and necessary" then we give the judge the mandate of finding if that actual expenditure was reasonable and necessary.

Hon. Mr. LOUGHEED—You give him three standards to interpret instead of one.

Hon. Mr. DANDURAND—But he must examine the expenditure according to those three standards—actual, reasonable and necessary.

Hon. Mr. DAVID—I think the word "necessary" would be useful, but not necessary.

The amendment was lost, and the clause was adopted.

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

The Bill was then read the third time and passed.

The Senate adjourned until 11 o'clock a.m. to-morrow.

THE SENATE.

Thursday, May 18, 1916.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

EXTENSION OF THE LIFE OF PARLIAMENT.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. Is the Government of Canada in a position to inform the Parliament of Canada what has become of the Extension Bill, praying for an amendment to the British North America Act to provide for a supplementary term of Constitutional existence, of one year, dating from the first of October, 1916, to the first of October, 1917, in favour, and on behalf of the present Government and Parliament?

2. Has the Government of Canada transmitted the said Bill to the proper British authorities for sanction by the British Parliament?

3. When, and on what date did the Government of Canada transmit to the British authorities the said Bill of Extension unanimously adopted by both Houses of the Canadian Parliament?

4. Why has not the sanction of the British Parliament been given to the said Bill of Extension requesting the amendment to the British North America Act so as to give the present Government and Parliament a further existence of one year?

He said: Parliament is about to expire in a few hours. Though it would be a cruel thing to have a death bed confession in this matter, if the hon. gentleman has the answer I shall accept it.

Hon. Mr. LOUGHEED—All I can say to my hon. friend is that the Government did duly transmit the Bill to the proper British authorities for consideration by the British Parliament, and that it is now before the Imperial Parliament. What the Imperial Parliament will do with it is for them to say. This Government and this Parliament cannot do anything more than they have already done.

Hon. Mr. CLORAN—The only point I want to have answered directly is on what date was it transmitted. The hon. gentleman says it was duly transmitted. I want to know the date.

Hon. Mr. LOUGHEED—I can not tell my hon. friend. I am unaware of that.

Hon. Mr. DANDURAND—But are not these documents transmitted by the Clerk of the Senate, or is it by the Secretary of State?

Hon. Mr. LOUGHEED—I understand the Government gave the necessary in-

structions to the Acting High Commissioner to place the address in the hands of the proper authorities representing the Imperial Parliament. That has been done, and the matter is now before the Imperial Parliament and will doubtless be disposed of during the present session.

Hon. Mr. CLORAN—I do not question that. What the country wants to know is the date when that Bill was transferred to the British authorities from Canada?

Hon. Mr. LOUGHEED—I am not in a position to tell that.

Hon. Mr. CLORAN—Will the hon. gentleman be in a position this afternoon to give an answer?

Hon. Mr. LOUGHEED—I will make inquiries.

Hon. Mr. CLORAN—The country is entitled to know these facts.

The SPEAKER—I may give the House the following facts regarding the matter. Immediately the Address was adopted by both Houses, the Speaker of the Commons and myself presented the address to His Royal Highness the Governor General. That was a little before the fire. At all events, the Governor received the Address and told us that he would send it immediately to the proper authorities.

Hon. Mr. POWER—I may be allowed to be disorderly just at the close of the session. I think there is no reason for being disturbed about this matter. The English Parliament will keep on sitting until the month of August, or some time probably later than that, and this measure which we have asked for is one which can be put through in a couple of hours. There is no reason for worrying about it, and further, if the English Parliament thought proper not to pass an Act amending the British North America Act, we are just where we were before and we should have an election in October.

Hon. Mr. CLORAN—That is what we want to know.

Hon. Mr. DANDURAND—And I would add further that this does not concern the Upper Chamber.

Hon. Mr. LOUGHEED—We are safe.

MOTION.

On the Order of the Day being called:

Hon. Mr. CLORAN moved:

That an humble Address be presented to His Royal Highness the Governor General, praying that he will cause to be laid before the Senate all further papers and documents since the last answer of the Government regarding the "Extension Bill" between the Government of Great Britain and Ireland and the Government of Canada.

He said: As I have already asked the leader of the Government if he is aware of the date when the Bill was transmitted to the Imperial Parliament by the Governor General, there is no use in pressing the motion and therefore I wish to have it dropped; but before dropping it, I should like to have it known that the Government is unable to tell the country on what date that Bill was transmitted to the Imperial authorities. That is a question that should be brought to the attention of the public.

Hon. Mr. POWER—Perhaps the hon. gentleman will move for an address to His Royal Highness asking him to disclose on what date he made the transmission.

Hon. Mr. CLORAN—I hope the Cabinet of the day is in the confidence of the Governor General.

Hon. Mr LOUGHEED—Oh, I think we are.

Hon. Mr. CLORAN—Then if they are, we ought to know the day that Bill was transmitted.

DEVELOPMENT OF AGRICULTURAL, INDUSTRIAL AND TRADE CONDITIONS.

Hon. Mr. DANDURAND—I would ask the indulgence of the House in substituting myself for the Hon. Mr. Beique, who asked me to make his motion. If hon. gentlemen will look at page 536 of the Minutes they will find the report of a committee presided over by the Hon. Mr. Beique, which was adopted; but the terms of it were not wide enough to comprise further impressions which the committee would need for the printing, and therefore for that purpose a motion has been put on the Order Paper which reads as follows:

That the adoption of the Second Report of the Special Committee appointed to "inquire into what is being done and what could be done to best promote the agricultural, industrial and trade interests of the country both during and after the war," be reconsidered, and that the said Report be amended by adding after the words "mailing and recording the circular" the following words: "and for such other work as may be necessary to carry out the object of the Committee".

This will allow the committee a little more leeway in obtaining its printing from

the Printing Bureau in order to carry out the mandate of this Chamber.

Hon. Mr. POWER—I do not think this is a proper way to proceed.

Hon. Mr. DANDURAND—Well, I have my own doubts.

Hon. Mr. POWER—This resolution is to the effect that the adoption of this report which took place some days ago be reconsidered. But we can not very well reconsider without rescinding, and I think the better way would be to leave out the word, "be reconsidered," and just say that the said report be amended as suggested in the motion. I move that that resolution be so amended.

Hon. Mr. DANDURAND—In order to carry out the suggestion of the hon. gentleman from Halifax, perhaps His Honour the Speaker will put the motion in proper shape.

The SPEAKER—The Hon. Mr. Dandurand moves, seconded by the Hon. Mr. Power, that the following words:

—and for such other work as may be necessary to carry out the object of the Committee.

be added after the words, "mailing and recording the circular' in the recommendation made by the special committee on Agricultural, Industrial and Trade Interests in their second report.

Hon. Mr. SPROULE—It seems to me it is just a question whether this is or is not travelling beyond the limits of our powers. If it involves the expenditure of money it would be, and from the reading of it, though I have not looked up the old report, that would appear to have been contemplated—"And such other work." Now, that other work may be of different kinds, but it is not natural to expect that much work will be carried on without an expenditure of money; and we are making a motion here which means the expenditure of money which we have not power to authorize. So it is a question to my mind whether it is properly in order.

Hon. Mr. POWER—I think it is, inasmuch as the money will probably come out of the contingencies of the Senate.

Hon. Mr. SPROULE—If it comes out of the contingencies of the Senate, but I understood this was a joint committee.

Hon. Mr. DANDURAND—No, it is a committee of the Senate with power to sit during the recess.

Hon. Mr. SPROULE—Was there not, in connection with that, a motion that it be a joint committee in connection with the House of Commons?

Hon. Mr. DANDURAND—It was suggested, but the House of Commons did not appoint its committee.

Mr. SPROULE—I see. If it is taken out of the contingencies account in that way, then I imagine it would be within our jurisdiction.

Hon. Mr. DANIEL—What amount of money would the passing of this amendment entail?

Hon. Mr. DANDURAND—Just a trifle.

The motion was agreed to.

APPOINTMENT TO LIBRARY OF PARLIAMENT.

Hon. Mr. BOSTOCK—Yesterday the hon. leader of the Government, in accordance with the recommendations contained in the report of the Librarians, moved the appointment of Mr. Carter. Since then I have studied that report carefully, and I observe that the procedure in regard to Napoleon Aubrey is apparently a curious one. He seems to have been appointed by Order in Council. That takes it out of the hands of both the House and the Senate to deal with the matter. I have not had time to look up the question thoroughly, but it seems to me that that is rather infringing on the prerogatives of both to deal with the question. Could my hon. friend give us some explanation?

Hon. Mr. LOUGHEED—I understand that the Governor in Council has the power to appoint officials of this character when the House is not in session. At the time of his appointment Parliament was not sitting; in the second place—and I speak subject to correction—inquiry was made into the matter and I think the impression was left in the minds of the Privy Council that former appointments of this character had been made by Council.

Hon. Mr. DANDURAND—The report of the the Joint Librarians reads as follows:

Library of Parliament,
Ottawa, January 15, 1916.

Sir,—The librarians have the honour to forward you a copy of an Order in Council appointing one Napoleon Aubry to the place of caretaker of the Library of Parliament.

The man named is forty-six years old and has hitherto been a waiter at a club.

As the Librarians have had the misfortune to differ from you in other instances—always a very regrettable and disagreeable thing in itself—they will not venture to offer any advice or opinion as to whether the Order in Council fulfils the conditions of the law.

We have the honour to be, Sir,
Your obedient servants,
A. D. De Celles,
General Librarian.
Martin J. Griffin,
Parliamentary Librarian.

To the Honourable
The Speaker of the Senate,
Ottawa.

I will not venture to express an opinion as to this conflict of powers between the executive and the Houses of Parliament; but would it not be the correct thing to ask His Honour the Speaker to examine into it, as he is the custodian of the prerogatives of the Senate, and make his report to the Senate by next session, since it would be too late for His Honour to give us his opinion at this time.

Hon. Mr. SPROULE—I have had something to do with the difficulties attending the filling of these appointments. I found there was a conflict of opinion between the Librarians of Parliament and the Civil Service Commission as to where the authority for such appointments lay. At my request it was submitted to the Justice Department, and speaking from memory, the Justice Department sustained the contention of the Commission, that the authority lay with the commission, that where appointments were made during the recess between the sessions of Parliament they must be made by Order in Council. I do not think the Justice Department dealt with this feature of it, that it was proper when Parliamnet reassembled to submit that point and have it concurred in by the House, the same as we do when appointments are made during the session. That was the information conveyed to me, and upon which I endeavoured to act for the remainder of my term.

Hon. Mr. POWER—This is, perhaps, one of these cases where an irresistible force comes against an immovable obstacle and some external authority has to be introduced.

CANADA SHIPPING ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill No. 21, An Act to amend the Canada Shipping Act.

The Bill was read the first time.

Hon. Mr. DANDURAND.

Hon. Mr. LOUGHEED moved the second reading of the Bill. He said: This is a Bill that was introduced in the House of Commons by Mr. Sinclair, the member for Guysborough. It is a Bill to which he has been peculiarly wedded, and being possessed of merits, the Government considered it necessary, for the purpose of passing it during the present session, to assume the responsibility for its conduct through Parliament, and accordingly did so.

Hon. Mr. POWER—Hear, hear. Good thing.

Hon. Mr. LOUGHEED—The Shipping Act at present is regarded, particularly by the maritime trade of the Maritime Provinces, as being entirely too restrictive with reference to the certificates which are issued from time to time to coasting captains. The present law limits the coasting captain to five degrees north latitude. That is to say, he is not permitted to clear his vessel for any point further south than five degrees north. The distance that a ship is allowed to go is governed entirely by the certificate the captain holds. It is needless to say that there are two classes of certificates, one which might be termed the deep sea certificate, which permits a captain to clear for any port in the world, and the other a coasting certificate. It is thought very desirable, therefore, to enlarge the powers of a coasting captain to exercise a very much wider latitude than that already given him under the Canada Shipping Act. I understand that a change was made before Confederation, or possibly after Confederation—I cannot at the moment direct attention to the particular point of time at which it occurred—and that restriction was adopted. It is very desirable that this be enlarged in accordance with the Bill which is before us. It is therefore proposed, instead of restricting a coasting captain to clearing for a port not further south than five degrees north latitude, that he should have a right to clear for a port not further south than 40 degrees south latitude, and this, it is provided:

—also means a voyage between any port or place on the western coast of Canada, and any other port or place on such coast, or on the western coast of the Territory of Alaska, or of the United States of America or of the western coast of Mexico or Central America or South America not further south than forty degrees south latitude."

I think Maritime Province men will appreciate the desirability of giving this additional power to coasting captains.

Hon. Mr. ROCHE—I would briefly say that the advantage of this Bill in the province of New Brunswick, and the other Maritime Provinces, would be to enable vessels to proceed to Brazil. Under present regulations they would not be able to go further than the West Indies, and this change would enable vessels with piece cargoes and other cargoes to go to Brazil. It is very desirable to extend trade in that direction, and therefore it would be a great advantage to our captains. They have vessels that may be engaged in the fishing business in summer, and carrying lumber, but in the winter they wish to be free to voyage to Brazil for lumber and other products; therefore it would be a great advantage to have this latitude.

Hon. Mr. ROSS (Middleton)—Under the present law the coasting captain could go to the north pole. There is no restriction on going north, and it was thought an illogical thing to restrict him from going south. Of course there was some underlying influence that we do not know anything about which gave rise to that restriction. They were first allowed to go to a certain distance south, then the limit was extended to five degrees north, and now they want to go down to Brazil to trade. They cannot go beyond the Horn.

Hon. Mr. CLORAN—How about the Panama Canal?

Hon. Mr. ROSS—A British Columbia captain can only go to 42 south latitude. He cannot go round the Horn. I do not see why they should not be allowed to go round the Horn, because as a matter of fact the navigation that they are allowed at the present time is more difficult than the navigation from which they are excluded. I should be very glad to see it cut out.

Hon. Mr. BOSTOCK—I have not had very long to study this Bill, but the very point raised by the hon. senator from Middleton occurred to me in this connection. It seems to me that if a captain is qualified to go as far south as he allowed to go now, either on the east or the west coast of America, he ought to be sufficiently capable to make the whole voyage round. Another point, which it seems to me has not been considered, is a question affecting the Panama canal. If this canal is open and in operation, Canadian vessels, I presume, will be using it, and I do not see why a captain, if he is capable of going down the coast as far as the canal, should not be allowed to go through the canal and come along the other coast. I do not know whether this question was given any consideration when the Bill was before the House, but it certainly seems that it should be considered and the Bill should be amended in that way in the shipping interest. Of course this has come up at such a late hour of the session that we have not had the time to give it the consideration that a Bill of this nature deserves, and possibly it might not be a good thing to be amending it now, but it certainly should be considered.

Hon. Mr. ROSS (Middleton)—There is another point in connection with it; the Panama canal is liable to be closed every now and then. A captain might be going from British Columbia under a coasting license and suddenly find the canal closed, and that ship would have to lie there until she got a new captain.

Hon. Mr. POIRIER—I believe the Bill very properly excludes captains from going around Cape Horn. There is no navigation in the known world more difficult. Only large powerful ships with deep-sea captains can undertake it, and should undertake it. If that privilege were given to coasting captains, then I say there would be practically no difference between their certificate and that of deep-sea captains. In their own interest that privilege should not be given to them, because a fool-hardy captain might attempt it, and be sorry for it in the other world.

Hon. Mr. McLENNAN—On the whole I believe that the coasting captains and navigators of the lower provinces are worthy of the extension of this privilege to them. I have had a good deal of experience with them and can say that they are remarkably skilful navigators. With regard to fool-hardiness, which might of course take place, there are the interests of the insurance companies and of the owners to avoid voyages which ought not to be undertaken; but the men are skilful as a whole on their own coast, extraordinarily skilful, and can do things that navigators much more technically trained could not do, and those qualities make it perfectly safe to grant this extension to them to go farther south than the West Indies. To deny it would be to cut off a very valuable part of the trade, namely, the carrying of freight to Brazil, which is a very important market

for the fisheries of the Maritime Provinces, and for which in a great many cases the smaller craft is desirable to carry on the trade.

Hon. Mr. DANIEL—I remember this matter being before Parliament in the other Chamber for a number of years. When I was a member of the Marine Committee the subject was broached and talked over, but it really came to a head and received the approval of the Government to such an extent as to have the Government back them as they are doing at the present time. I think the extension of the authority given by the coasting certificate down as far as Brazil will be sufficient. It will be extensive enough. It appears to me that to allow a coasting man to take a vessel around the Horn would be a mistake. Most of these coasting vessels are not of the size that you would load to take a cargo around the Horn. They are mostly of a smaller size, brigantines, brigs and schooners.

Hon. Mr. BOSTOCK—Does the hon. gentleman know the size of the vessel in which Drake went round the Horn years ago?

Hon. Mr. DANIEL—Yes, but we are not living in his time. That was a good many years ago.

Hon. Mr. LOUGHEED—We are not taking the same chances.

Hon. Mr. DANIEL—I suppose the vessel in which Christopher Columbus sailed from Spain when he discovered this country was a very small vessel.

Hon. Mr. POIRIER—Ninety-two tons.

Hon. Mr. DANIEL—I have crossed the Atlantic myself in a barque of only 600 tons.

Hon. Mr. LOUGHEED—Then there was Noah's ark.

Hon. Mr. DANIEL—That was a very small vessel as compared with the large size vessels of the present day. The tendency of the present age is to build large ships, both steam and sail, so that the granting of certificates to coasting masters, to go down South, would be proper in the case of these large vessels.

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.)

Hon. Mr. BOSTOCK—Is the hon. leader of the Government prepared to accept any amendment with regard to the question of such vessels going through the Panama canal? I do not want to jeopardize the Bill.

Hon. Mr. LOUGHEED—I do not think the House of Commons will meet again, and an amendment would mean a defeat of the Bill.

Hon. Mr. BOSTOCK—Then we had better leave it until next session, when we can consider the question properly.

Hon. Mr. POIRIER, from the committee, reported the Bill without amendment. The Bill was read the third time and passed.

THE SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (194), An Act for granting to His Majesty certain sums of money for the public service for the financial years ending respectively 31st March, 1916, and 31st March, 1917.

The Bill was read the first time.

Hon. Mr. LOUGHEED moved the second reading of the Bill. He said: The money vote involved in this Bill may warrant a few observations, to say the least of it.

Hon. Mr. BOSTOCK—I should like to ask the hon. leader whether this Bill has been brought to the attention of the Senate in accordance with rule 70 of the Senate, which says:

> The Senate will not proceed upon a Bill appropriating public money that shall not, within the knowledge of the Senate, have been recommended by the King's representative.

Hon. Mr. LOUGHEED—I understand that is the case.

Hon. Mr. BOSTOCK—We have not received any official notice of that recommendation.

Hon. Mr. LOUGHEED—I understand all the forms have been strictly complied with in regard to this Bill.

Hon. Mr. BOSTOCK—That is the first intimation we have had.

Hon. Mr. LOUGHEED—The Supply Bills for 1916-17 are as follows:

Appropriation Act No. 1 which passed the House of Commons on the 7th of April last, provided for..	$ 99,458,597 41

And is composed of two schedules A and B as follows:—		
Schedule A consists of all votes passed by the Committee of Supply up to the passing of the Act, amounting to..	28,713,666 40	
Schedule B. consists of one-fifth of all votes which had not passed the Committee of Supply up to the passing of the Act amounting to.. .. .. ..$20,744,931 01		
And a special vote for war purposes of.. .. .. 50,000,000 00		
	$ 70,744,931 01	
	$ 99,458,597 41	
The present Supply Bill is composed of three Schedules A. B. and C. as follows:—		
Schedule A. Based on the Main Estimates 1916-1917.. .. ..$	82,795,384 07	
The amount of each vote is four-fifths of that in the Estimates of such votes as had not passed the Committee of Supply on the 7th April last. The one-fifth of these votes compose schedule B. of Appropriation Act No. 1 passed the House of Commons on the 7th of April last and which amounted to $70,744,931.01 including $50,000,000.00 of a War appropriation.		
Schedule B. based on the Supplementary Estimates for 1915-1916..	4,485,537 36	
Schedule C. based on the Supplementary and Further Supplementary Estimates for 1916-17 amounting in the aggregate to..	32,282,081 65	
Including loan of $8,000,000.00 to the Grand Trunk Pacific Railway; $15,000,000.00 to the Canadian Northern Railway Company and $4,000,000.00 for the purchase, equipment and operation of the Quebec, Montmorency and Charlevoix Railway, the Quebec and Saguenay Railway, and the Lotbinière and Megantic Railway.		
The total Appropriation for the fiscal year 1916-17:—		
By Appropriation Act No. 1, passed the House of Commons as Bill No. 85, 7th April, 1916..	99,458,597 41	
By the present Bill.		
Schedule "A" ..$82,795,384 07		
Schedule "C" .. 32,282,081 65		
	115,077,465 72	
	$214,536,063 13	
Statutory..	56,479,482 60	
	$271,015,545 73	

This total sum includes $50,000,000.00 War Appropriation, $8,000,000.00 Loan to the Grand Trunk Pacific Railway Company; $15,000,000.00 to the Canadian Northern Railway Company; $4,000,000.00 for the purchase equipment and operation of the Quebec and Saguenay Railway, and $56,479,482.60 for services provided for by Statute, which latter sum has been greatly increased by interest charges on war loans.

Hon. Mr. BOSTOCK—Did I understand that the total for 1916-17 is $271,000,000?

Hon. Mr. LOUGHEED—Yes, that includes everything. Now, hon. gentlemen, it is with some little diffidence that I refer to the two particular items included in the Supply Bill, known as loans to the Canadian Northern Railway Company and the Grand Trunk Pacific Railway Company, chiefly on account of this Government having approached Parliament on two former occasions asking aid for those particular companies and expressing the hope, to say the least, that it would be unnecessary to ask further aid. I have no apology to make, however, on behalf of the Government for approaching the Senate on this occasion to ask for the adoption of the Supply Bill including those items, for reasons which I am about to state. Governments, like individuals, have occasionally to recede from time to time from positions which they may take and which they felt justified in taking, and yet which are altered on account of their absence of control over human events. This is peculiarly the case with reference to these two items. The strain and stress of national affairs and of financial depression, which we have been called upon to meet during the last two years, have compelled the Government of Canada to adopt a position in regard to the assumption of liabilities which under fair weather conditions they would on no consideration have taken. I need scarcely refer to the very serious financial depression which took place in Canada immediately previous to the war, and which entirely altered the view point that the Government was compelled to take on the various public undertakings which had been entered upon by railway corporations and others at that time. This was further aggravated by the European war, a war which has convulsed not only the whole of Europe, but the whole world, and which has practically closed the door of the money markets of the world, particularly to those enterprises upon which Canadian capitalists had entered. The Government of Canada, not only the present Government but previous Governments, for a period of years have been inclined to view very favourably railway undertakings having for their object the opening up of our vast country and the providing of new

transportation systems to meet public requirements. They have given evidence of this by the adoption of a policy which has long remained on our statute-books of granting substantial aid from time to time to all railway enterprises which may have come within the terms of the Act. The committals of the Government of Canada since Confederation for the purpose of building up the transportation systems of this country have been so overwhelmingly large that to survey them inclines one to say that the dauntless character of Canadian Governments has not been eclipsed by any other government in the world. We have assumed obligations for the building of our railways that I fancy have no parallel in any other constitutionally governed country. However, that has been the policy of Canada for some years past, and we find ourselves under present conditions, owing to the march of events which has convulsed the world within the last two years, called upon to take stock of our obligations and to consider where they will lead us. This situation is peculiarly applicable to Canada at the present time in connection with the two great undertakings which are now before us for consideration. It is needless to discuss at this moment why Canada entered upon the building of those transcontinental systems. Suffice it to say that, in the wisdom of the Government of the day, we are committed to those undertakings and to the maintenance of the credit and the honour of Canada in a financial sense, and to the bringing of those enterprises to a satisfactory completion if we can possibly do so. Now, in the first place we propose, as I have already pointed out, making a loan to the Canadian Northern Railway of $15,000,000 on first mortgage security on a 6 per cent basis, that security to cover the entire system. Notwithstanding the enormous obligations which have been assumed, not only by this Government, but by the Provincial Governments of Canada, in connection with this enterprise, there are some satisfactory features of the undertaking which should not be overlooked. In the first place, the Government of Canada is interested in the enterprise to the extent of protecting its guarantees. It has an interest in the undertaking to the extent of 40 per cent of its stock, and an interest, as I have already said, in maintaining the credit of Canada by protecting the guarantees which we have already entered into, and also indirectly protecting the guarantees of the various provinces of Canada that likewise have been committed to this undertaking. We must not overlook, at the same time, the credit of Canada, so far as it has been pledged in a national way by the financing of this undertaking, not only in European money markets, but in the money markets of this continent. The Federal Government has guaranteed securities to the amount of $104,613,247. The provinces of Canada have guaranteed security even beyond that—to the extent of $107,027,895, and there are unguaranteed securities of $125,713,115. There are also land grant securities amounting to $20,416,529. There is also an issue of 5 per cent convertible debenture stock of $25,000,000, making a funded debt of $383,770,798. In this connection it may not be inappropriate for me to point out the advantages the Canadian Northern railway has over other railways as to its fixed charges, and as to the possibility of its competing in the future as a railway enterprise with the other transcontinental systems, possibly involving action in the meantime by the Government in regard to further protection of our guarantees upon which we have entered. At the same time I should like to point out to hon. gentlemen that the position in relation to fixed charges of the Canadian Northern railway, notwithstanding the very large debt, funded and otherwise, which I have pointed out, is, in a sense, superior to that of the other roads. I find that the Grand Trunk Pacific railway has a fixed charge of $4,132 per mile, on a mileage of 1,744 miles. The Grand Trunk railway of Canada, with a mileage of 3,552 miles, has a fixed charge per mile of $2,745. The Canadian Pacific railway, with a mileage of 12,824 miles, has a fixed charge per mile of $2,402, while the Canadian Northern railway, with a mileage of 9,993 miles, has a fixed charge of $1,299. Now let me repeat that, so that hon. gentlemen may appreciate the advantages of this particular system, notwithstanding the financial disadvantages against which it has at present to contend.

Hon. Mr. ROCHE—Has the Canadian Northern railway any land reserve?

Hon. Mr. LOUGHEED—It has certain lands, against which it has issued land grant securities amounting to $21,416,529. I am sorry that I cannot give my hon. friend at the moment the valuation of the lands against which those securities are registered.

Hon. Mr. SPROULE—In dealing with the fixed charges of the Canadian Pacific railway, do you take into account their land holdings?

Hon. Mr. LOUGHEED—Yes, I have taken that into consideration.

Hon. Mr. BOSTOCK—Could my hon. friend give us the figures of the fixed charges with regard to the capitalization?

Hon. Mr. LOUGHEED—No, I am sorry I cannot give that to my hon. friend; but when we speak of fixed charges we mean by that the interest payable upon debentures and fixed capital, or, in other words, upon the capital indebtedness of the road; that is to say, the amounts which I have mentioned go annually towards paying the interest upon the debentures and the dividends upon stock.

Hon. Mr. SPROULE—With regard to, say, the Canadian Northern railway, they have so many leased lines which pay 40 per cent of their earnings.

Hon. Mr. LOUGHEED—That includes, of course, the payment of the rentals of the Canadian Northern railway for any leased lines which they have. My impression is, though I cannot put my hand upon the information at the moment, that the leased lines will not represent over between 300 and 400 miles in the approximate amount of 10,000 miles of road—which is almost infinitesimal.

Hon. Mr. DANDURAND—I suppose the hon. gentleman can easily give us the explanation for the larger charge on the Grand Trunk Pacific as compared with the other roads.

Hon. Mr. GORDON—What is it?

Hon. Mr. DANDURAND—It being a shorter road, running from Winnipeg west, and being weighted with the Rocky Mountain section.

Hon. Mr. LOUGHEED—Yes, of course, all these things had to be taken into consideration, and yet, at the same time, when we discuss the possible success of any transportation system we have to consider the basis of its obligations. The Government is called upon to make this loan in order to meet current liabilities, pending the decision by the Government as to the position they will take in the immediate future to protect their securities upon this road. At the present time there are current liabilities of the road amounting to $92,450,883. I need not recapitulate the particulars—and they are numerous—which make up this sum, except to say that this amount has been secured to a very large extent by the company pledging its securities, and, furthermore, with the expectation that they will be enabled to renew their loans from time to time to carry this indebtedness over until there is a distinct improvement in the times. But they lack the means to meet those liabilities by some twenty odd million, and it is thought that by the Dominion Government coming to their assistance, and loaning them at the present juncture fifteen millions to meet those liabilities, they will be enabled to tide over until the Dominion Government at least can determine what shall be done with reference to the future of the road.

Hon. Mr. BOSTOCK—Will the hon. gentleman state what the liabilities are?

Hon. Mr. LOUGHEED—The liabilities constituting $92,000,000—the current liabilities.

Hon. Mr. BOSTOCK—They are part of the $92,000,000.

Hon. Mr. LOUGHEED—Yes. They are made up as follows:

Canadian Northern Railway System—Memorandum re liabilities April 15, 1916.

London loans on securities as per list		$29,411,964
Dominion Government loan on Canadian Northern Ry. 4 per cent debenture stock (Dominion guar.).	$10,000,000	
Sundry loans on securities as per list.. ..	6,214,066	16,214,066
C.N.R. 4 per cent D.S. (Dom. guar.) 2 year notes due 1st September, 1917..	11,500,000	
C.N.R. 5 per cent 1 year notes due 10th January, 1917	2,500,000	14,000,000
Bills payable — advances on construction of main line and branch lines..		7,300,000
Temporary loans covering interest, construction, betterments and equipment	$19,925,345	
Less receivable from proceeds of securities, etc., applicable in reduction of the above..	3,529,929	16,395,416

Contractors', sub-contractors' estimates, material accounts, etc..		5,912,497
Sundry accounts, pay rolls, audited vouchers, etc	$ 4,902,432	
Capital account, deferred payments on terminals, land, etc.	4,493,567	
Coupon warrants, accrued interest, etc..	4,601,339	
	$13,997,338	
Cash on hand, accounts receivable, materials, supplies, etc..	10,780,389	3,216,940
		$92,450,883

Of that $92,000,000 hon. gentlemen will observe that a certain amount of security is pledged for the payment of the amount, and there are certain of those liabilities which can be renewed and carried on for some considerable time, thus relieving the company of that immediate pressure which would force them into liquidation, but requiring at the same time twenty odd million dollars to relieve that pressure. Of that amount we are advancing them $15,000,000. I was about to say that it is obligatory on the Government to make this advance for the purpose of tiding them over the crisis which they are now facing. If the Government did not do this, we would be called upon at once to consider taking such action as might be necessary, looking to the protection of our securities and the possible liquidation of the company. There are three alternatives which face the Government at the present time with respect to the Canadian Northern railway. One is to allow the company to go into liquidation and make good their guarantee; another is to take over the system and operate it by commission or otherwise; the third is to extend such temporary aid as might be necessary until an investigation can be made of the whole situation by experts appointed for the purpose. The third or last course is the one which has been adopted by the Government, and I have no doubt at this peculiarly critical time that this Chamber will approve the course which the Government is following. It is proposed almost immediately or as soon as the Government can take action in the matter, after Parliament prorogues, to appoint a commission of railway and financial experts to go into the whole situation in a businesslike manner, and advise the Government as to what should be done. It is needless to say that this report will in due time be submitted to Parliament and doubtless action taken thereupon. It is not necessary for me at the moment to discuss what the eventuality may be of the Government having to take over this system. It is too late to discuss the nationalization of Canadian railways, or the policy that should be pursued by the Government, inasmuch as we are in the dying hours of the session, and the discussion of so large a subject at the moment would scarcely be possible. Then, turning for a moment to the Grand Trunk Pacific, it is necessary, as I pointed out in presenting the Supply Bill, to make a loan to this company to the amount of $8,000,000 to meet its immediate pressing obligations. It is proposed to advance to this company $8,000,000 payable on demand with interest half yearly at the rate of 6 per cent per annum. It is to be used for the purpose of meeting indebtedness incurred in paying interest upon securities of the Grand Trunk Pacific railway to meet a deficit in operation for the purchase of rolling stock. The loan is to be secured upon the undertaking of the Grand Trunk Pacific Railway Company. Our relation to this company, of course, is of rather a serious character. It has issued securities guaranteed by this Government to the amount of $78,000,000. We have made loans to the company amounting to $25,000,000. There have been securities guaranteed by the provinces of Saskatchewan and Alberta amounting in all to $13,000,000, and securities guaranteed by the Grand Trunk Railway Company amounting to $97,000,000. This, of course, is a serious situation for the Government of Canada, not only in regard to the securities which it has guaranteed directly, but also taking into consideration the securities guaranteed by those two western provinces, Saskatchewan and Alberta, which provinces have no assets other than the subsidies which from time to time are given them by the Federal Parliament, and the right which they have to impose direct taxation upon their respective people. The Government of Canada has to take into consideration not only the maintenance of its own credit, but the maintenance of the credit of the different provinces of Canada, and more particularly those western provinces that are not possessed of their own natural resources, but have to rely for the meeting of their financial obligations to a very large extent upon this Government,

There is the further feature which has to receive serious consideration at the hands of the Parliament of Canada, namely the maintenance indirectly and sentimentally of the credit of the Grand Trunk railway. It may be said that we are in no sense responsible for the obligations which that company may have entered into in connection with the building of the Grand Trunk Pacific railway; but we cannot overlook the fact that in a great undertaking such as the oldest transportation system of the Dominion, a transportation system favourably known throughout the world, the people of Canada must necessarily be deeply interested that its obligations should in no way handicap it in such a way as to destroy its public usefulness. With this short review of the Bill I submit it for your consideration to its second reading.

Hon. Mr. BOSTOCK—At this late hour of the session it is a very difficult matter to discuss the important question of the Supply Bill when it is an ordinary Supply Bill, but the Supply Bill which has been brought down to-day, if it is to be adopted as a precedent, is going to place the Senate in a very peculiar position. The hon. leader of the Government, in the remarks he has made to this Chamber, has directed his attention entirely to the question of the loans to these two railways, I wish to enter, at this stage, a very strong protest against including these loans in the Supply Bill. The Supply Bill is brought down, as the hon. gentleman stated, in different schedules, but these loans to the railways and other heads and supplies to the Government are all included in the schedule (c) of the Bill, with the result that if this Chamber felt disposed to take any action with regard to these loans, they would be placed in the position of having practically to throw out the whole of that schedule of the Supply Bill. I want, for a few minutes, to direct the attention of the House to the position we are in with regard to this matter. Rule 71 of the Senate says:

> To annex any clause to a Bill of aid or supply, the matter of which is foreign to, and different from the matter of the Bill, is unparliamentary.

I contend that the question of loaning money to a railway which is not included in the works of the Dominion of Canada that the Government has to supply money to carry on, should not be dealt with in the Supply Bill. I also desire to quote the words of May in regard to the possible action which might be taken by the Senate in dealing with the matter. At page 584 May says:

> Rejection by the Lords of provisions creating a charge—The right of the Lords to reject a money bill has been held to include a right to omit provisions creating charges upon the people, when such provisions form a separate subject in a bill which the Lords are otherwise entitled to amend. The claim of privilege cannot, therefore, be raised by the Commons regarding amendments to such bills, whereby a whole clause, or series of clauses, has been omitted by the Lords, which, though relating to a charge, and not admitting of amendment, yet concerned a subject separable from the general objects of the bill.

This is the point I wish particularly to draw attention to. On page 585, May says:

> On the 30th July, 1867, it was very clearly put by Earl Grey and Viscount Eversley, that the right of the Lords to omit a clause, which they were unable to amend, relating to a separate subject, was equivalent to their right to reject a Bill which they could not amend without an infraction of the privileges of the Commons.

I contend that if the Government in the future is going to follow the policy that they have pursued on this particular occasion with regard to these loans, it will be for this Chamber to consider whether they will take action to bring this question to an issue. I think it is not showing due consideration to the Senate to put this question of loans before the House as it has been put by the Government. I therefore desire to enter a very strong protest against the way this matter has been brought up. It puts us in this position, that we are now, in the very dying hours of the session, called upon to consider this very important measure dealing with loans to these railway companies. The hon. gentleman, in discussing the advance to the Canadian Northern railway, stated that this money is simply a loan. I understand that it is a demand loan, that therefore it will be a loan that will place the Government in the position that they can call it up at any time, and it gives them complete control over the situation. If the Government felt obliged to make this loan, that probably was the best way they could make it. Then I find that this $15,000,000 which we are called upon to loan to the Canadian Northern Railway is for the purpose of enabling them to get over their pressing liabilities at the present time. The figures given by the Minister of Finance the other day in another place showed that the net earnings of the Canadian Northern Railway for this year ending the 30th June, 1916, were estimated to amount

to more than the interest on the bonds as stated in the return brought down by the Government. But we have to bear in mind that at the present time we have to provide the sum of $3,046,616 for two years of interest on bonds that we have guaranteed—I think that is on the bonds of the $45,000,000 guarantee and the $35,000,000 guarantee—therefore at the present time the company is not liable to pay the interest on those bonds. Further, the province of British Columbia has to provide the sum of $1,467,890 on bonds guaranteed by that province for three years after the lines are in operation; therefore that reduces to that extent the actual amount that is put down as due by the railway, making $4,514,507 altogether. From the statement made to the House by the hon. leader of the Government I was not quite clear whether it was going to be necessary for this Government to come to the assistance of the province of British Columbia and advance them the money to carry out that guarantee. We all know that as far as the province of British Columbia is concerned, the finances of that province, I am very sorry to have to say, are in a very unsatisfactory condition to-day; and if they have to turn around and find this amount of money in order to pay the interest on those guaranteed bonds I think it is going to place that province in a very awkward position at the present time; but it may possibly be that the Federal Government intends to come to the assistance of the province in that way. Therefore we are in this position: that the country, through the Government, will have to find, in addition to this loan of $15,000,000, the sum of $6,540,507 interest on guaranteed bonds, and there is still an amount of $1,300,000 credit balance in the trust account of the Canadian Northern Ontario, and a further credit balance from the securities guaranteed by the Dominion two years ago, that is in 1914, of $4,300,000, making a total of money still in the trust account of $5,600,000. So that altogether the Canadian Northern to-day is obtaining from the Government and from the country a sum over $25,000,000 for the purpose of paying interest on bond guarantees, and also for the purpose of liquidating pressing liabilities. The hon. gentleman, in discussing this question of the Canadian Northern, did not say anything as to how the Government was going to see that this money was carefully expended. I think it is most important in the interests of the country that the Government should keep very strict and careful control of the expenditure of every cent of this money; that they should know exactly where it is expended and what it is expended on; and further, that they should see that no further development is carried on by this railway company or any of its subsidiary companies until we know exactly what position the company is in. For instance, in British Columbia there are lines the bonds of which have been guaranteed, but very little work has been done under them, and I think the Government should see that no more development work is done at the present time until we know exactly where this company stands and how this money is being spent. The hon. gentleman gave us the figures with regard to the position of the Canadian Northern Railway and the Grand Trunk Pacific as to their earning power, and the amount that this represented per mile of the railway. Put in that way, I think it places the Canadian Northern Railway in a very much more favourable position than when we examine it from another point of view. The figures were given the other day in another place, when it was stated in regard to the Canadian Northern Railway, that the railroad system is carried in their balance sheet at over $430,000,000, and the Canadian Pacific Railway, with all its equipment and all its additions, is shown only at the figure of $503,000,000—a difference of $73,000,000 as between the two lines. I think the hon. gentleman stated that the mileage of the Canadian Pacific railway was 12,000 and of the Canadian Northern railway some 9,000 miles, so that the difference of those 3,000 miles would be represented by the $73,000,000, on that figuring. Then when we come to look we find a very large surplus revenue of the Canadian Pacific Railway which is available for paying the fixed charges on that road which last year were only $10,000,000, while the charges of the Canadian Northern were $15,000,000 per annum. That gives us some idea of the burden that the Canadian Northern Railway has to carry as compared with the other road. Then we have also to bear in mind that the Canadian Northern Railway is not in the same position as the Canadian Pacific Railway as far as its equipment and such matters are concerned. So that the position is not as favourable as one would like to see it in regard to the Canadian Northern Railway, and a matter that the Government has to take very carefully into consideration is as to how this money is

spent, in order that the standard of this road and its equipment may be brought up to a higher point than it occupies at the present time. With regard to the statement the hon. gentleman made as to the Grand Trunk Pacific, we find on examining that statement that the total amount necessary to pay interest and some other items is $9,376,844, but of that amount the Dominion Government has in any case to pay the sum of $1,655,121, leaving us to provide in this particular instance the sum of $7,721,723 to meet the interest on the bonds guaranteed both by the Dominion Government and by the Grand Trunk Pacific itself. So that according to this statement the country is providing about $200,000 more than the amount necessary to pay the interest on those guaranteed bonds, including of course the bonds guaranteed by the province of Alberta and the province of Saskatchewan. In this case we are not taking hold in any way of the liabilities of the company, which are given as some $20,000,000, of which the sum of $14,000,000, I understand, is due to the Grand Trunk railway itself. I presume, therefore, from the statement that has been issued to the country, that the Grand Trunk Pacific and the Grand Trunk railway combined are in a position at the present moment to take care of those liabilities, amounting to $20,743,132, so that as far as the Grand Trunk Pacific is concerned we have only to find the amount of money necessary to provide the interest on the guaranteed bonds. I found the other day, on reading the Montreal Gazette, that the President of the Grand Trunk railway system, in response to an inquiry, said:

> The statements in the newspapers relative to losses on the Grand Trunk Pacific are very much exaggerated, even in the present hard times the loss on that property, after paying interest will not exceed $2,000,000 for 1916.

If that statement of the president of the company is correct it places the Grand Trunk Pacific in a much more favourable position at the present moment than I thought they occupied. Of course, this is only a newspaper statement, and there may be qualifications in regard to it, but I think if that is really the position of the company we ought to be congratulated in finding that it is in a better position than it appeared to be. Now, with regard to the old question of the Supply Bill, it has been brought down so late in the session, and we have so little time to deal with it, that I do not know whether we can really discuss the question properly at this present time. According to the statement of the hon. leader of the Government we find that for the Estimates this year we are passing a total of $271,000,000, and from the statements made by the Minister of Finance we know that the country is being called upon to put up very large sums of money. The total debt charge, as stated by the Minister of Finance, will amount to $580,000,000. At the end of March, 1916, we were carrying an interest charge of close upon $24,000,000. This is a very serious burden for the country at the present time. As we know, everything is increasing in price, and the burdens on the people are increasing from day to day. We were fortunate last year in having good crops, and the business throughout the country has improved, but unfortunately we do not see any indication that the population of the country has any chance of increasing to any great extent; in fact, I think that if we were in a position to take a census of the people of Canada to-day we would find that our population did not amount to much over 7,500,000. That makes it very necessary for hon. gentlemen to consider the position in which the country is placed at the present time. Our public debt is increasing by leaps and bounds, as I fear it must continue to do, because we have to maintain our position and do our part in prosecuting the war which is now going on. As our public debt increases, the interest on that debt will also go on increasing, but our population is not increasing in a way that will enable us to distribute the burdens as we would like to see them distributed. The policy of the Government should be to retrench and economize as much as possible; but we have seen, by the action of the Government over the Bill that was brought in only last night, that they are not prepared to economize in the way that I think the country expects they should. It is easy for the Government to talk and tell the people that they should personally economize and do everything they can to save money, and increase the production of the country; but when they see the Government wasting money, and giving it away to their own particular friends whenever they consider there is advantage in so doing, I do not think a right example is set to the country at the present time. There are a large number of other matters to which I could refer, but as the whole question has been brought up so late in the session, I do not think it is advisable to take up the time of the House any longer.

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

Hon. Mr. LOUGHEED, seconded by Hon. Mr. Owens, moved the third reading of the Bill.

Hon. Mr. WATSON—In the form in which this Bill is presented to the Senate I cannot accomplish the object which I had wished to attain. The Bill which was referred to by my hon. friend involves an unnecessary expenditure for the country to undertake at the present time, and should not have been gone on with, but as the matter has come down to us, the money that is to be paid for this road is included in this Supply Bill. I had purposed moving to reject that Bill, but I cannot do it now since it is included in the Supply Bill. I must say that I am inclined to think the country will not approve of the action of the Government in undertaking that expenditure at the present time. We know that throughout Canada individuals, as well as corporations, are trying to do everything they can to save and economize for the purpose of assisting in the prosecution of the war, and at this late hour of the session to ask for a vote of something over $4,000,000 to give to a speculative concern when there is no present necessity for that expenditure, or for the building of the road, is an extravagance which I think the country will not forgive the Government for undertaking. The road in question traverses the shores of the great St. Lawrence river; it cannot possibly compete with the water route in the summer time, and from all the information that has been put before us there is very little use for it in the winter time. In fact, my information is that it is almost impossible to operate that road in winter, for there are very few people to serve, the trains cannot run over the track in the winter time, and there is a very heavy snowfall. Still, the Government at this late date suggested the buying of this road from a speculative outfit that has prosecuted that enterprise for a number of years, and that has done more to discredit Canada in her borrowing powers than any one man in Canada. The belted knight has tried several times to get the Government to take this road over, and has not succeeded; in fact, from the rumours we heard a few weeks ago, I thought the present attempt would not succeed. Unfortunately, with his tenacity, his enterprise, and his powers to organize, he has evidently succeeded in compelling the Government—I say compelling the Government, because they must have been compelled to undertake this expenditure. I was disappointed in the vote last night. I had expected that that Bill would probably have been defeated in the Senate. So far as I was concerned, there was no canvass made, but I noticed last night a number of gentlemen here whom we had not seen for weeks or months, and I had thought they came for the purpose of saving the country at this particular time. I venture to say that if a number of the members who are not simply casual visitors, but who have attended this House pretty regularly up to within a few weeks ago, had known that this Bill was coming before Parliament, they would have remained here and voted against it. I am only surmising, but that is what I think. A reference was made last night which could not but recall to my mind a similar occurrence in the House of Commons a good many years ago. It was referred to by the hon. senator from Victoria division. On that occasion the Bleus of Quebec held up the Government in 1884, when they were "on strike"—I am not sure, Mr. Speaker, whether you were in the Commons at that time, but I think you were. There was a dead set made on the Government at that time that the Canadian Pacific railway was asking for a loan of $30,000,000, and the Bleus of Quebec went on strike. They were not in their seats in the House for three or four days; they were in caucus in room 8, and intended to vote against the Government on the $30,000,000, as one of the leaders told me, at 6 o'clock in the evening. However, by 1 o'clock in the morning they all walked in and voted for the $30,000,000 loan. The gentleman informed me that on the next day they changed their minds because a responsible minister had come to their caucus and assured them they would get what they were asking for; consequently they voted, and everything was all right. We found out afterwards that the price of getting their vote for the $30,000,000 loan was the giving of guarantees on provincial roads in the province of Quebec for some $15,000,000. This might interest some gentlemen who have heard the question discussed on several occasions as to how the term was introduced into Parliament and into legislation—"for the general advantage of Canada." That is the occasion when we first heard of subsidies given by the Federal Government

to railways because they were to the general advantage of Canada, and we found out afterwards by the Bill brought down that it guaranteed subsidies of $3,200 a mile to roads in the province of Quebec, aggregating some $15,000,000. Apparently, history is now repeating itself, and this belted knight is able to organize his forces and compel this Government to purchase a road, which the people of Canada, I believe, will consider an extravagance. In a debate some days ago in the House of Commons a very strong speech was delivered by a very able man, Mr. Bennett of Calgary, who has studied this question of railways, in which he suggested that Canada should scrap about 2,500 miles of the present railways, that they should not operate them at all, but pull up the rails and leave them. So I think the road it is proposed at present to purchase should be scrapped. In fact it is scrapped at the present time. I am credibly informed that nothing has been done on the bulk of the road for four years. This time of stress is a poor occasion to revive an old road on which nothing has been done for four years. We are informed that some 70,000 people will be interested in the construction of that railroad outside the city of Quebec. I have no fault to find with the hon. member from Quebec who thinks that railroad is an advantage to Quebec and to Canada. I submit this is not the proper time to do it. Coming from the West, I have never objected to money being spent to open up the province or help the city of Quebec, but if the Government have $4,000,000 to expend at the present time they should use it in another way, which I think would be more advantage to Quebec and to Canada. I refer to the completion of their terminals in connection with the Transcontinental in Quebec. They have no completed terminals at the present time. If they would undertake to assist the Grand Trunk Pacific and Transcontinental in building terminals in Quebec, in erecting elevators to afford accommodation for traffic, they would be less open to criticism. As far as the West is concerned, there is no suggestion of scrapping any railways there. People talk about extra railways—railways that have been built and are of no use—but that talk does not apply to the Northwest. I venture to say that there is about one hundred million bushels of last year's crop still to be removed out of the West, and the wheels of all our rolling stock will be kept moving to get last year's crop out by the time the next crop is harvested. There is no reason for saying that the construction of railways out West has been in advance of the demand. In the early days of legislation the Government were brave and bold enough to bring down legislation comparatively early, but now they bring down a Bill of this description at the last hour of the session when there is no time to discuss it properly. I say there is no occasion for it. The people of the country who are paying the taxes for the purpose of providing for the prosecution of this war, will call the Government to account for this extravagant piece of legislation brought here in the dying hours of the session, to please their political friends who demand this assistance.

Hon. Mr. SPROULE—It seems to me the hon. gentleman from Portage la Prairie is a little late in discussing the important feature of the Supply Bill which he most decidedly objects to, that is the purchase of these three railroads. In that particular case—not like the other portions of the Supply Bill—a Bill was brought in and put through this House.

Hon. Mr. WATSON—Last night.

Hon. Mr. SPROULE—And it was during the consideration of that Bill that the hon. gentleman had the most favourable opportunity to put himself on record and offer any objections, or move and motions he desired, for the purpose of testing the opinion of the House.

Hon. Mr. WATSON—I did move and vote.

Hon. Mr. SPROULE—When that Bill was passed despite his objection, I do not see what good can be effected by rehashing it now.

Hon. Mr. WATSON—I did all I could.

Hon. Mr. SPROULE—Or criticising it on the Supply Bill where it would be impossible to do anything.

Hon. Mr. WATSON—I anticipated that it would be brought down here as a separate Bill. I was not aware, until a few minutes ago, that it would be included in the Supply Bill, because it went through the House of Commons as a separate Bill and was voted upon in the House of Com-

mons as a separate item. I expected the same opportunity would be given here, but it is included in the Supply Bill here and I have not had an opportunity to express my views.

Hon. Mr. SPROULE—It was before the House last night.

Hon. Mr. WATSON—No.

Hon. Mr. SPROULE—Yes, granting power to the Government to buy this railroad, and therefore it was quite proper to raise any objection then.

Hon. Mr. WATSON—I am quite in order in objecting now.

Hon. Mr. SPROULE—It is not equally proper now because it is part of the Supply Bill.

Hon. Mr. WATSON—I am complaining of that. I expected it would come here as a separate Bill.

Hon. Mr. SPROULE—It did come as a separate Bill.

Hon. Mr. WATSON—No.

Hon. Mr. SPROULE—And that was the proper time to raise the objection. When it comes in the Supply Bill which the Senate cannot amend and could only throw out in toto—which has never been done by any Upper House in the Imperial or Canadian Parliaments—it seems to be a little late to discuss that feature of the Bill.

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

AN ATTACK ON THE SENATE.

Hon. Mr. DANDURAND—Before the House adjourns, I should like to draw attention to a Bill which was referred to the Railway Committee of the Senate for reconsideration, Bill 87, An Act to amend the Railway Act, of which we have not heard from that committee, and my attention is drawn to that fact by an article in this morning's Citizen which violently assails the Senate for refusing to deal with the matter contained in that Act. The article I refer to reads as follows:

The Senate and the Interests.

The main advertising the Senate has received this session has not brought glory to itself nor to this country. In the remaining few hours of its business it would have been well advised not to let the senate railway committee bring added discredit to a hardly tolerated assembly.

The Senate Railway Committee has recommended an extended lease of life to the unused railway franchises held by private promoting interests in the Niagara peninsula. At the same time it has held up the amendment to the Railway Act, which passed the House of Commons and is intended to give the Dominion Railway Commission power to determine the final location of railway lines.

The effect of the Senate Committee's action is to extend special privileges to a group of private promoters and to administer a rebuff and a setback to public ownership by hitting the Ontario Hydro-Electric Commission. Will the people of Ontario and of Canada generally suffer this from the Senate?

The reasons for the amendment (Bill No. 87) to the Railway Act have already been explained and thrashed out in the House of Commons this session. The amendment is virtually to restore to the Board of Railway Commissioners a power they originally had under Section 123 of the Railway Act of 1903. The Act suffered mutilation in 1906 by an amendment undoubtedly drafted for the purpose of political profiteering and patronage. The present amendment, Bill No. 87, would in effect by restoring the Act of 1903 deprive venal politicians of some of their opportunities to serve special privilege at the expense of the community.

This attack on the Senate is entirely uncalled for. Speaking for myself, I knew nothing of the discussion that had taken place in the Railway Committee on the clause in the two Private Bills referred to, which extended the time for the completion or building of lines in the Niagara Peninsula. When it came to the Senate it was sent to the Railway Committee. There we found that coupled with it was an Act amending the Railway Act. It was mentioned that it had for its object the giving of powers to the Board of Railway Commissioners in dealing with the location of these lines. The Senate found that this amendment to the Railway Act was going in, restoring not only the powers which were given the Railway Board in 1903, as the article states, but much more extended powers. It gave the right to the Board of Railway Commissioners, not only to locate the line of railway authorized by Parliament, but to refuse absolutely the using of the powers which had been granted by Parliament. In spite of this extraordinary procedure the Senate accepted the principle of the Bill and sent it to the Railway Committee. In the committee it was found that there is considerable diversity of opinion as to the propriety of granting such powers to an irresponsible body which would sit in judgment in appeal over the action of Parliament, and a strong movement was apparent in favour of granting those same powers to the Board of Railway Commissioners, but to be exercised prior to the Bills coming to the House.

Hon. Mr. DAVID—Hear, hear; that is the point.

Hon. Mr. DANDURAND—The Railway Committee was unanimously in favour of giving these powers to the Board of Railway Commissioners, provided they were exercised before the House was sitting. I confess that personally I stood by my first intimation of voting for the Bill, even if the cart was ahead of the horse, as it appeared to be to the majority of the members of the Senate and of that committee. I did so because I felt, although we were granting powers to an irresponsible body to sit in judgment over our own action, that if an injustice should be done by that Board of Railway Commissioners, Parliament could always remedy the injustice by legislation at the following session, and that we could, notwithstanding our mandate, grant the powers that were sought for the location of the railway that had been denied by that irresponsible body. We adjourned those two Private Bills, and this amendment to the Railway Act in the Railway Committee two or three times over the last two or three years, and we remarked, with the public representatives of the press present, that we were faced with difficulties, but that we wanted, before passing those Private Bills, to be satisfied that the province of Ontario, or the Hydro-Electric Commission, would have an opportunity to be heard before us, because we never saw them, we never had them before us, and yet we adjourned from week to week with the express desire of giving full satisfaction to claims of Ontario in this matter. Personally, I said that I would go any length with the senatorial delegation from Ontario, to maintain the autonomy of Ontario, and give full swing to the experiments that were being tried by the Hydro-Electric Commission. I was not present at the last sitting of the Railway Committee, but I find those two private Bills have passed without any amendment, because there was a proposition that the amendment to the Railway Act should be tacked on to those raliway Bills in order to avoid making general legislation to cover special cases. To this moment we, have not heard from the Railway Committee, whose chairman is my hon. friend from Portage la Prairie, as to the disposal of these amendments to the Railway Act. I should like to hear from him and to know why there has been no report.

Hon. Mr. WATSON—There is no report because it was moved in the committee that the Bill should not be reported. We deferred consideration practically over the session. The Hydro-Electric of Ontario I think had ample notice of our meeting. I think they were notified specially when our meeting would take place, and they never showed us the courtesy of being present. Mr. Beck made a strong fight in the House of Commons, and after that went back to Toronto and never came back. The particular objection was to clause 3 of the Bill, where they put in the hands of the commission the power practically to veto legislation of Parliament. The clause reads as follows:

> 3. The Board may approve such map and location, or any portion thereof, or may make or require such changes and alterations therein as it deems expedient; but if the Board deems that the construction of a railway upon the proposed location or upon any portion thereof is not in the public interest it shall refuse approval of the whole or of such portion; and in any case where the Board deems.

I think the committee took this view, that the Parliament of Canada should decide what was in the public interest. So far as the location was concerned, we had no objection to the board approving of the plan. In fact, they have that right now, but the Minister of Railways approved of the plan first. The committee viewed the Bill in that way. For instance, if we passed a Bill for a railway from Ottawa to Montreal, the board could not only say the railroad should not be located in a certain place, but that it should not be built at all. That is the reason it was not reported. I venture to say there has been no Bill before the committee since I have been a member of it that received more careful consideration than this one. I think the Citizen must be misinformed in some way, because I cannot conceive of the Citizen making that attack on the Senate in the language they have used if they had known the facts.

Hon. Mr. DANDURAND—Could we have the assurance of the leader of the Government that in the early days of next session he will bring amendments to restore the clauses of the Railway Act of 1883, which was injudiciously amended, I might say, in 1906?

Hon. Mr. LOUGHEED—It may not be improper for me to say, as representing the Government before the Railway Committee in connection with this proposed amendment to the Railway Act, that I have to pay this tribute to members, not only in

the chamber, but of the Railway Committee, that I cannot recall at the present moment a more sympathetic disposition on the part of members to give their best consideration to an important amendment than they did on that occasion, notwithstanding many of them were very strongly opposed to the principle which it proposed importing into the Act. It was a very radical principle. Even those of us who were sympathetic with the amendment had to recognize that the immediate abdication, so to speak, of Parliament, of its function to the Railway Commission to pass with a degree of finality upon the location was certainly a unique principle in railway legislation. I urged the amendment as strongly as I possibly could, both upon the chamber and in the Railway Committee, and as I have already said, I received the most sympathetic consideration of the principles embodied in the Bill. I discussed the matter with the Minister of Railways when the hon. gentleman from Mille Iles suggested that the principle should be reversed, the submission to the Railway Board being made a condition precedent to the application for a Bill. We had then reached a very late hour in the session, and the Minister of Railways could not give me any assurance that the adoption by the Senate of that amendment would be approved of by his colleagues in the House of Commons, not only the Railway Committee of the House of Commons, but the Government and the House of Commons itself. He agreed with me that, under the circumstances, as we had practically reached the eleventh hour in the session, and as the province of Ontario had not responded or attended the Railway Committee, and particularly the officials interested in the Hydro-Electric, although notified, we therefore were justified in saying that the matter would receive our best attention in the immediate future. The criticism just read with reference to this amendment is, in my judgment, entirely indefensible, because I am prepared to say that the members of this Chamber, on both sides of the House — those who ranged themselves in favour of the amendment and those who were for the time being opposed to the amendment—were prepared to give the most careful consideration to the proposal that had been made, and had we not reached such a late stage in the session I have no doubt we would have come to a very satisfactory conclusion.

Hon. Mr. LOUGHEED.

Hon. Mr. WATSON—I might say, in addition to what has been stated by the hon. leader, who had charge of this Bill as a Government measure, that he informed us that the Minister of Railways would not accept the other two Bills with any amendment.

Hon. Mr. LOUGHEED—No.

Hon. Mr. SPROULE: I was just about to say that I think the blame is properly attachable to the Railway Committee, not to the Senate. Any committee of this House is in duty bound, according to our rules and procedure, to report every Bill sent to them by the House, but in this case they failed to discharge their functions and report the Bill; therefore the House could not deal with it.

Hon. Mr. WATSON: The Bill is still before the committee.

Hon. Mr. LOUGHEED—We will deal with it yet.

Hon. Mr. DAVID—I hope the hon. gentleman will publish his good remarks.

The Senate adjourned during pleasure until 4.15 p.m.

THE PROROGATION.

At 4.15 p.m. the Senate was resumed.

The Right Honourable Sir Charles Fitzpatrick, G.C.M.G., Chief Justice of Canada, Deputy 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 the Right Honourable the Deputy Governor General's desire that they attend him immediately in the Senate."

Who being come with their Speaker;

The Clerk of the Crown in Chancery read the Titles of the Bills to be passed, as follows:—

An Act relating to the Superior Courts of Saskatchewan and to amend the Judges' Act.
An Act respecting Colonial Bank (Canada).
An Act respecting British Trust Company.
An Act respecting The High River, Saskatchewan and Hudson Bay Railway Company.
An Act respecting The Toronto, Hamilton and Buffalo Railway Company.
An Act to amend The Dominion Forest Reserves and Parks Act.
An Act to amend The Bank Act.
An Act for the relief of Christopher Sinclair.
An Act for the relief of Hope Fothergill Baily.
An Act for the relief of Robert Charles Vondrau.

An Act for the relief of Percy Lynn Woods.
An Act respecting certain patents of The Pedlar People. Limited.
An Act to incorporate The Fire Insurance Company of Canada.
An Act respecting The Governing Council of The Salvation Army in Canada and to change the name thereof to "The Governing Council of The Salvation Army, Canada East."
An Act to incorporate The Governing Council of The Salvation Army, Canada West.
An Act respecting the investments of Life Insurance Companies.
An Act to authorize certain School and Dominion Lands to be included in the Taber Irrigation District in the Province of Alberta.
An Act to amend the Prisons and Reformatories Act.
An Act to incorporate The Manitoba and Saskatchewan Bible Society.
An Act respecting Rentals Payable to the Mount Royal Tunnel and Terminal Company, Limited.
An Act to levy a tax on Business Profits.
An Act to amend the Canada Shipping Act.
An Act for the relief of David Whimster Rhodes.
An Act to provide for the payment of Bounties on Zinc produced from Zinc Ores mined in Canada.
An Act to incorporate The Eastern Canadian Union Conference Corporation of Seventh-Day Adventists.
An Act to amend the Canada Temperance Act.
An Act to aid in the construction of certain lines of railway of the Saint John and Quebec Railway Company and to confirm an agreement between the Company and the Governments of Canada and New Brunswick.
An Act to amend The Exchequer Court Act.
An Act for the relief of Martha Isabella Kenny.
An Act for the relief of William Thomas Craig.
An Act respecting The Niagara, St. Catharines and Toronto Railway Company.
An Act respecting The Toronto, Niagara and Western Railway Company.
An Act to amend The Government Railways Small Claims Act.
An Act relating to the St. Peter's Indian Reserve.
An Act to authorize the acquisition of lines of railway between the City of Quebec and Nairn Falls and between Lyster and St. Jean des Chaillons.
An Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors.
An Act to amend the Canada Shipping Act.
An Act for granting to His Majesty aid for Military and Naval Defence.
An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1916, and the 31st March, 1917.

To These Bills the Royal Assent was pronounced by the Clerk of the Senate, in the following words:—

In His Majesty's name the Right Honourable the Deputy Governor doth assent to these Bills.

The Honourable the Speaker of the House of Commons then addressed the Right Honourable the Deputy Governor General, as follows:—

May it please Your Honour:

The Commons of Canada have voted certain Supplies required to enable His Majesty to defray certain expenses of the Public Service.

In the name of the Commons, I present to Your Honour the following Bill:—

"An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending respectively the 31st March, 1916, and the 31st March, 1917."

To this Bill I humbly request Your Honour's assent.

Then, after the Clerk of the Crown in Chancery had read the title of this Bill,

To this Bill the Royal Assent was pronounced by the Clerk of the Senate, in the following words:—

In His Majesty's name, the Right Honourable the Deputy Governor General thanks His Loyal Subjects, accepts their benevolence, and assents to this Bill.

After which the Right Honourable the Deputy Governor General was pleased to close the Sixth 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 this crisis of our national life your attention has been directed to affairs of supreme importance; and it is with gratitude that I recall the care and devotion with which you have considered and approved all necessary measures for effective prosecution of the war. Our Empire, with unexampled singleness of purpose, is defending not only its own integrity and institutions, but also the rights of mankind. It is my sincere conviction that your efforts will materially aid in the achievement of that unquestioned victory for which we shall not cease to strive until it is attained.

The struggle still proceeding in many widespread theatres, has recently become more intense on the western front, where, for more than a year the Dominion troops have been engaged. The Canadian Army Corps has been entrusted with an important position, and the people of the Dominion justly cherish a calm confidence that it will fully maintain the honourable and distinguished record already established by the First Division.

Throughout our country the response to the urgency of the Empire's need has been unfailing, and unaccustomed burdens have been accepted with an unfaltering spirit. Nearly 170,000 troops have gone overseas and more than 140,000 are undergoing training in Canada. To supply the needed reinforcements, men have offered themselves in even greater numbers during the first four months of this year than in any similar period during the war.

I am convinced that the important measures which you have taken for the economic well-being of the Dominion will meet the needs of the situation and will be attended with marked advantage to the public interest.

The magnificent crops harvested during the past season have materially assisted in maintaining the stability of our national fabric. You will rejoice to learn that the vastly increased volume of Canada's exports is still

maintained, and that the general prosperity of the country has not been perceptibly diminished by the war.

In dealing with national problems of railway development you have made provision by which present needs will be met. Steps will be taken by my advisers without delay to insure an effective inquiry into the conditions by which those problems are surrounded and the most efficient methods by which they can be solved.

The provision for supplementing, with such aid as is required from the federal power, the operation of provincial legislation restricting the sale or use of intoxicating liquors, is in accordance with the marked advance of public opinion to which the provincial enactments are due.

I deplore with you the partial destruction of the historic building in which the deliberations of Parliament have been held since the founding of this Dominion. It is anticipated that in its restoration the distinctive features of its architecture will be preserved while at the same time more spacious and convenient accommodation will be provided.

Gentlemen of the House of Commons:

I thank you on behalf of His Majesty for the liberal provision which you have made for the public needs and for the increasing demands of the war.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

It is my privilege now to relieve you for the present from your arduous labours; and I do so with an ever-growing confidence that, notwithstanding any temporary reverse, victory will crown our high cause; with a fervent prayer also and an humble faith that out of this time of trial and suffering our country will assuredly advance to a greater and nobler future.

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